

# State of California Board for Professional Engineers, Land Surveyors, and Geologists

## 2023-24 Sunset Review Report Submitted January 4, 2024



Prepared for the Senate Committee on Business, Professions and  
Economic Development and the Assembly Business and Professions  
Committee



**BOARD FOR PROFESSIONAL ENGINEERS,  
LAND SURVEYORS, AND GEOLOGISTS  
BACKGROUND INFORMATION AND OVERVIEW OF THE  
CURRENT REGULATORY PROGRAM  
As of December 31, 2023**



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# BACKGROUND AND DESCRIPTION OF THE BOARD AND REGULATED PROFESSIONS

## SECTION 1





## **Section 1 – Background and Description of the Board and Regulated Professions**

### **History of the Board for Professional Engineers, Land Surveyors, and Geologists**

#### **Civil Engineers Board (1929 – Present)**

The California Legislature created the Board of Registration for Civil Engineers in 1929 following the failure of the Saint Francis (San Francisquito) Dam in northern Los Angeles County in March 1928 (Chapter 766, Statutes of 1929). The 200-foot dam, designed by William Mulholland for the Los Angeles Department of Water and Power, near the southern end of the aqueduct bringing water from the Owens River to the San Fernando Valley, suddenly gave way. A monstrous wall of water cascaded down the narrow valley of the Santa Clara River. When the water hit Santa Paula, almost 50 miles downstream from the dam, the crest was still 25 feet high. Lives lost numbered from 409 to 450, almost as many as in San Francisco's great earthquake and fire. Property damage was millions of dollars. After the flood, inspection revealed that the dam was built on and anchored to a weak and faulted rock formation. The legislature determined that the unregulated design of construction projects constituted a hazard to the public. A law was then enacted requiring the registration of civil engineers.

When Legislative Committee hearings on the bill were held, a difference of opinion developed between proponents of registration by branch and those who favored registration in the category of professional engineer only. Opposition also developed from those engineers who were against the philosophy of licensing in general. The mining engineers strongly objected to any regulation of their activities as did some representatives of the mechanical and electrical engineering groups. Because the principal opposition came from groups who practiced in branches other than civil engineering, the bill was amended to exclude them and require registration of civil engineers only. It was in this form that Assembly Bill 174 was signed by the Governor (Chapter 801, Statutes of 1929). Initially the area of overlap between architecture and engineering was considered relatively unimportant, but as taller buildings were being designed and constructed, it became a source of increasing controversy. To resolve the disputed area of overlap between architecture and structural engineering, a solution was offered creating the title authority of structural engineer. Registered civil engineers who were found to be qualified in structural engineering could use the title structural engineer. Civil engineers then sponsored legislation creating the structural engineer title authority (Chapter 254, Statutes of 1931).

#### **State Surveyor General (1891 – 1933)**

Although Civil Engineers first became licensed in 1929, Land Surveyors have been licensed in California since 1891 in accordance with an act to establish land surveying that was enacted March 31, 1891. That was the year the Legislature established the State Surveyor General. However, in 1933, the Legislature abolished that office and enacted the Professional Land Surveyors' Act (Business and Professions Code [B&P Code or BPC] section 8700, et seq.). The Act expanded the Board's authority to include jurisdiction over licensing of land surveyors and regulation of surveying practices. Until

then, local governments had been interpreting the laws governing subdivision maps and recordation of parcel boundaries in widely differing ways for many years. Many land surveyors ignored basic legal requirements concerning subdivision maps and survey records. Some counties allowed boundary monuments to be moved or even destroyed. Legal disputes over property boundaries cost the state and the public millions of dollars. Regulation of land surveyors brought about uniform enforcement of survey law and furthered the best interests of the state and California consumers.

#### Growth of the Professional Engineers Board (1933 – 2009)

The technical advances made during the forties, possibly due to World War II, resulted in the registration, by title, of engineers in the branches of chemical, electrical, mechanical, and petroleum engineering. This was done through legislation in 1947. Because of the more specialized use of electrical and mechanical engineering, the law was amended in 1967 to change electrical and mechanical engineering from title act registrations to practice act registrations. Also in 1967, the legislature created the title disciplines of metallurgical and industrial engineering – that the Board opposed. A bill was then passed by the Legislature (Chapter 895, Statutes of 1968) which gave the authority to create new title acts to the Board by allowing interested parties to petition the Board for creation of new branches of engineering.

Several years passed, and the composition of the Board changed. During the early seventies, the Board received petitions from persons representing the branches of aerospace, agriculture, air pollution, communication, control system, corrosion, environmental, fire protection, manufacturing, nuclear, quality, safety, and traffic engineering. Hearings were held, and all petitions were approved except for the petitions of aerospace, air pollution, communication, and environmental engineers. In 1976 and 1977, the Board finally adopted formal regulations to implement licensure for the engineering disciplines which it had recognized during the preceding years.

In 1980, the laws were changed so that civil engineers licensed after January 1, 1982, would no longer have the authority to practice land surveying unless they obtained a license as a land surveyor; however, civil engineers were still allowed to practice engineering surveying, with that area of practice specified in law (Chapter 824, Statutes of 1979). Additionally, in 1982, the title authority of geotechnical engineer was added to the practice of civil engineering by the Legislature (Chapter 646, Statutes of 1982).

In 1985, Senate Bill 1030 (Chapter 732, Statutes of 1985) was passed by the Legislature with support from this Board. The bill amended Section 6732 of the B&P Code to codify the existing engineering disciplines into the Professional Engineers Act (B&P Code § 6700, et seq.), thereby recognizing them by statute rather than by regulation. It also repealed Section 6700.1 of the B&P Code, which had allowed for the establishment of new engineering disciplines by petition to the Board.

In 1999, examinations in three title acts (corrosion, quality, and safety) were eliminated. In 2004, legislation (Chapter 789, Statute of 2003) was enacted to discontinue the examination for manufacturing engineering. Currently, there are nine remaining title acts:

agricultural, chemical, control systems, fire protection, industrial, metallurgical, nuclear, petroleum, and traffic engineering.

#### Geologists and Geophysicists Board (1969 – 2009)

The former Board for Geologists and Geophysicists (BGG) was created in 1969 by legislation signed by then-Governor Ronald Reagan on August 1, 1968, under the Geologist Act and was provided authority to regulate the practice of geology. The Board was comprised of seven members (four public members and three professional licensees). In 1972, legislation was adopted to include the practice of geophysics, resulting in the renaming of the enabling act to the Geologist and Geophysicist Act. Professional Geologists had been licensed by the Board since 1970, as had the title authority license of Certified Engineering Geologist for Professional Geologists. Licensing of Professional Geophysicists began in 1973. Regulations were adopted in 1995 to include the title authority license of Certified Hydrogeologist for Professional Geologists.

Consumer demand for regulation of geological practices and concern for public safety and protection from landslide damage was a driving factor in the establishment of a board to regulate the practice of geology. Housing tracts built on hillsides were developed without the benefit of regulated and licensed geologists. In 1962, Southern California experienced a geologic disaster due to rainfall-induced landslides that impacted hillside development. The landslides resulted in significant financial losses that eventually led to the adoption of professional licensure for geologists in California.

In an attempt to prevent future geologic accidents, the City of Los Angeles adopted grading ordinances that required geologic reports for hillside development. Soon thereafter, other Southern California cities and counties enacted their own geological ordinances and qualifications for geologists. A need was recognized to establish both uniform statewide standards and a mechanism for statewide licensure. The Board for Geologists and Geophysicists functioned as a separate board for 40 years.

Legislation enacted during the 4th Extraordinary Session of 2009 (ABX4 20) eliminated the Board for Geologists and Geophysicists and transferred all of the duties, powers, purposes, responsibilities, and jurisdiction to regulate the practices of geology and geophysics to the Board for Professional Engineers and Land Surveyors. The transfer of authority became effective October 23, 2009. The Geologist and Geophysicist Act (B&P Code § 7800, et seq.) and the Rules and Regulations pertaining to the practices of geology and geophysics (Title 16, California Code of Regulations [16 CCR] section 3000, et seq.) remain in effect.

Effective January 1, 2011, the name of the Board was changed to the Board for Professional Engineers, Land Surveyors, and Geologists.

#### **License Types Regulated by the Board**

The licenses or certifications currently regulated by the Board are comprised of three primary categories: Practice Acts; Title Acts; and Title Authorities. Practice Act licenses

indicate that both the actual practice and the use of the title are regulated. Title Act licenses indicate that only the use of the title is regulated and the actual practice is not. Title Authorities represent licenses that authorize the use of specific titles by individuals who already hold certain Practice Act licenses. For example, Geotechnical and Structural Engineers must be licensed as a Civil Engineer first as a prerequisite for the title authority, while Certified Engineering Geologists and Certified Hydrogeologists must be licensed as a Professional Geologist first. The following chart illustrates these primary categories.

Practice Acts	Title Acts	Title Authorities
Civil Engineer Electrical Engineer Land Surveyor Mechanical Engineer Professional Geologist Professional Geophysicist	Agricultural Engineer Chemical Engineer Control System Engineer Fire Protection Engineer Industrial Engineer Metallurgical Engineer Nuclear Engineer Petroleum Engineer Traffic Engineer	Geotechnical Engineer Structural Engineer Certified Engineering Geologist Certified Hydrogeologist

In addition, the Board issues certifications for Engineer-In-Training (EIT), Geologist-In-Training (GIT), and Land Surveyor-In-Training (LSIT), which recognize individuals who have obtained a specific level of engineering, geology, or land surveying education and/or work experience as the entry-level step towards eventual licensure as a professional engineer, geologist, or land surveyor.

### **Function of the Board**

The Board is charged with safeguarding life, health, property, and public welfare by regulating the practices of professional engineering, land surveying, geology, and geophysics. The Board provides this public service by qualifying and licensing individuals, establishing regulations, enforcing laws and regulations, and providing information so that consumers can make informed decisions.

The regulation of engineers, land surveyors, geologists, and geophysicists is intended to protect the public from incompetent, negligent, and/or unscrupulous individuals who would offer such services without having demonstrated they are properly qualified. The public is assured that licensed engineers, licensed land surveyors, licensed geologists, and licensed geophysicists have met state-approved education, experience, and examination standards established by the Board.

Engineers, land surveyors, geologists, and geophysicists make professional judgments, which have major financial, health, safety, and other significant consequences on a daily basis. The highways, bridges, dams, waterways, buildings, and electrical and mechanical systems in buildings are all products of engineering. Consequences of poorly designed bridges or buildings include deaths and injuries as well as financial hardship to the property owner ultimately responsible for damages and reconstruction. Land surveyors

help to define property boundaries. A miscalculation of property boundaries in a residential or commercial neighborhood could cause a property owner financial loss if the property is sold or improvements were constructed based on reliance upon an incorrect boundary. A structure could be located on another individual's property, with concomitant major financial losses and inability to convey title. Geologists and geophysicists analyze the rock, soil, and groundwater resources in California and help to determine if active landslides, earthquake faults, or underground water supplies impact orderly and safe development or if they impact the health, safety or welfare of the public.

The complexity of engineering, land surveying, geology, and geophysics projects necessitates a very high degree of technical knowledge and skill which is typically only acquired after many years of experience. The vast majority of licensed engineers hold a college degree in engineering. Land surveyors make decisions and form opinions based upon interpretation of legal documents, field evidence, and the use of technically advanced instrumentation. Licensed geologists and geophysicists often obtain post-secondary degrees in earth sciences and devote many years of experience studying and interpreting data related to rock, soils, earth dynamics, and groundwater and the effect those have on public improvements.

### **Current Composition of the Board**

There are fifteen Board member positions on the Board. All appointments to the Board are for a term of four years, with vacancies filled by appointment for the unexpired term. Each appointment (or re-appointment) after the initial appointment, if the initial appointment fills an unexpired term, is for a four-year term expiring on June 30 of the fourth year following the year in which the previous term expired. Each member may remain on the Board until the appointment of his or her successor or until one year has elapsed after the expiration of the term for which he or she was appointed, whichever occurs first; this is known as the "grace year." No person is allowed to serve as a member of the Board for more than two consecutive full four-year terms. (B&P Code §6712).

There are eight public member positions, appointed as follows (B&P Code §§6711 & 6712):

- Six public members by the Governor
- One public member by the Senate Rules Committee
- One public member by the Speaker of the Assembly

There are seven professional member positions, all appointed by the Governor. The seven professional member positions represent the branches or disciplines of engineering, land surveying, geology, or geophysics listed below. In addition, one professional member must be from a local public agency and another professional member must be from a State agency. (B&P §§6711 & 6712):

- Civil Engineer

- Electrical Engineer
- Mechanical Engineer
- Structural Engineer
- Other Professional Engineer (representing one of the other branches or disciplines not specifically represented)
- Land Surveyor
- Professional Geologist or Geophysicist

Despite initial logistics issues encountered during transition to virtual format at the onset of the COVID-19 pandemic in spring 2020, the Board has not experienced issues with the inability to hold meetings due to a lack of a quorum in the last five years. As of December 1, 2023, there are three (3) vacancies on the Board: the Mechanical Engineer, the Other Professional Engineer, and a Public Member (Governor appointee).

#### **Table 1a. Board Member Attendance**

See Attachment G for Table 1a – Board Member Attendance.

#### **Table 1b. Board Member Roster**

Member Name	Date First Appointed	Date Reappointed	Date Term Expires	Appointing Authority	Type (public or professional)
<b>Fel Amistad</b>	11/24/2015	7/2/2018 2/22/2023	6/30/2026	Governor	Public
<b>Alireza Asgari</b>	6/15/2018	4/28/2022	6/30/2025	Governor	Professional
<b>Rossana D'Antonio</b>	8/24/2020	8/03/2023	6/30/2027	Governor	Professional
<b>Cristina Garcia</b>	9/07/2023	-	6/30/2026	Governor	Public
<b>Michael Hartley</b>	9/29/2020	9/07/2023	6/30/2027	Governor	Professional
<b>Coby King</b>	5/29/2013	7/19/2016 1/07/2021	6/30/2024	Governor	Public
<b>Guillermo Martinez</b>	5/19/2023	-	6/30/2025	Governor	Professional
<b>Elizabeth Mathieson</b>	2/10/2015	7/2/2018 2/22/2023	6/30/2026	Governor	Professional
<b>Frank Ruffino</b>	5/02/2018	7/29/2020 6/30/2023	6/30/2027	Senate Rules	Public
<b>Wilfredo Sanchez</b>	9/29/2020	5/19/2023	6/30/2026	Governor	Public
<b>Fermin Villegas</b>	6/29/2023	-	6/30/2027	Assembly Speaker	Public
<b>Christina Wong</b>	9/07/2021	-	6/30/2024	Governor	Public

#### **Committees of the Board**

Prior to 2005, there were four active standing committees of the Board: Administration, Examination, Enforcement, and Legislation. Each committee was comprised of Board members. The Board eliminated the standing committees as a cost saving measure in 2004; currently, all issues are reviewed and discussed at the Board meetings. The Board has no plans to reinstate the standing committees at this time.

The Board also has the authority to appoint Technical Advisory Committees (TACs) under the provisions of Sections 6726, 7826, and 8715 of the B&P Code. The TACs may each consist of five technical members, all of whom are licensees of the Board, but none of whom are Board members. Two Board members, one professional member and one public member, are assigned as liaisons to the TAC. These committees are appointed as needed to advise Board members and staff on matters pertaining to technical practice aspects of the various branches of engineering, land surveying, and geology and geophysics. As of November 1, 2023, there are no appointed TAC members or active committees.

In addition to the above-noted standing committees, the President of the Board, with the concurrence of the other Board members, occasionally appoints special committees or workgroups to serve specific purposes. The life, charge, and operating procedures of such committees are determined by the establishing authority.

### **Board Executive Staff Leadership**

Currently, the Board is organized into four units, Administrative Services, Enforcement, Examination Development, and Licensing, which are all under the direction of the Executive Officer and the Assistant Executive Officer.

Richard B. Moore, PLS, is the Executive Officer of the Board, having served in this position since July 1, 2011, after being appointed by the Board. Prior to this role at the Board, Mr. Moore served as the Board's Senior Registrar Land Surveyor from September 2009 through June 2011 and the Board's Land Surveyor Consultant from January 1, 2007 through August 2009 after working in private practice since 1980.

Nancy Eissler is the Board's Assistant Executive Officer, having served in this position since 2014. Ms. Eissler has worked for the Board for 33 years. Prior to serving as the Assistant Executive Officer for the Board, Ms. Eissler served as the Board's Enforcement Program Manager, the Board's liaison to the Office of the Attorney General, and as clerical support to the Administrative Services and Examination Development Units.

### **Strategic Planning**

In the spring and summer of 2021, the Board revisited its Strategic Plan goals intended for the following five years and reaffirmed a goal to proactively monitor the objectives on a regular basis. The current 2022-2027 plan is published on the Board's website under Publications at <https://www.bpelsg.ca.gov/pubs/index.shtml>. The Board intends to revisit the current plan during 2024 in accordance with the Governor's Executive Order N-16-22 related to diversity, equity, and inclusion (DEI) considerations. [See Attachment C for the current Strategic Plan.]

## **All Legislation Sponsored by the Board and Affecting the Board Since the Last Sunset Review**

### **2018 Legislative Session**

- Senate Bill (SB) 920 – Cannella (Chapter 150, Statutes of 2018): Extended the sunset date relating to the authorization for professional engineers and professional land surveyors to form Limited Liability Partnerships.
- SB 1098 – Cannella (Chapter 154, Statutes of 2018): Board-sponsored legislation that amended the Geologist and Geophysicist Act to address the services for which the Board can charge fees and adjusted the statutory maximum of those fees.

### **2019 Legislative Session**

- Assembly Bill (AB) 1522 – Low (Chapter 630, Statutes of 2019): 1) Extended the Board's sunset date to January 1, 2024; 2) amended provisions in the three Acts that require licensees to cooperate with the Board during investigations of the licensees themselves to review the sunset date of those provisions; 3) added a provision to the Geologist and Geophysicist Act to authorize the Board to pursue disciplinary action against a geologist-in-training certificate; 4) repealed an obsolete reporting provision from the Professional Engineers Act; and, 5) made conforming and nonsubstantive changes to the three Acts.
- SB 339 – Jones (Chapter 145, Statutes of 2019): Added provisions to the three Acts that provide if a licensee under the Acts who is retained as an expert witness enters into a nondisclosure agreement, that agreement shall not be construed to prevent the licensee from reporting a potential violation of the Acts, as applicable to the licensee, to the Board, and that those provisions would not be construed to be, or act as, a waiver of any applicable attorney-client or attorney work product privileges.

### **2020 Legislative Session**

- SB 1371 – Maintenance of the Codes (Chapter 370, Statutes of 2020) – Made nonsubstantive changes to B&P Code §6787.

### **2021 Legislative Session**

- SB 414 – Jones (Chapter 106, Statutes of 2021): Amended provisions of the Professional Land Surveyors' Act related to the definition of the practice of land surveying and made other nonsubstantive changes to the Act.
- SB 826 – Senate Committee on Business, Professions and Economic Development (Chapter 188, Statutes of 2021): Amended sections of the three Acts to clarify that a person who fails a licensing examination may retake it upon payment of the examination fee but that an application fee is not required. These amendments were made at the Board's request.



## **2022 Legislative Session**

- SB 1120 – Jones (Chapter 302, Statutes of 2022): Board-sponsored legislation that 1) Added provisions to the three Acts to require applicants and licensees to provide the Board with a valid email address (if they have one) and to notify the Board within 30 days of any change of that email address; 2) repealed the provision in the Professional Engineers Act that required the Board to mail a renewal application form to licensees prior to their expiration/renewal date; and, 3) repealed subsections of provisions in the Professional Engineers Act and the Professional Land Surveyors' Act relating to engineering and land surveying work performed by non-engineering and non-land surveying businesses and made conforming changes.
- SB 1443 – Roth (Chapter 625, Statutes of 2022): Extended the Board's sunset date to January 1, 2025.

## **2023 Legislative Session**

No legislation made changes to the three Acts under the Board's jurisdiction.

## **All Regulation Changes Adopted by the Board Since the Last Sunset Review**

The Following Regulatory Changes Became Effective from Fiscal Year (FY) 2018/19 through FY 2022/23:

- **Educational Requirements for Certification or Licensure as a Geologist-in-Training, Professional Geologist, Certified Engineering Geologist, Certified Hydrogeologist, and Professional Geophysicist (effective October 1, 2019) – 16 CCR 3022, 3022.1, 3022.2, and 3031**  
Clarified the educational requirements for certification or licensure as Geologist-in-Training, Professional Geologist, Certified Engineering Geologist, Certified Hydrogeologist, and Professional Geophysicist.
- **Fees Authorized Pursuant to the Professional Engineers Act, Professional Land Surveyors' Act, and Geologist and Geophysicist Act (effective January 1, 2021) – 16 CCR 407, 410, 3005, and 3010**  
Amended the fees authorized to be charged by the Board for license applications, license renewals, and replacement certificates to address the Board's structural imbalance.
- **Substantial Relationship Criteria and Criteria for Rehabilitation (effective May 17, 2021) – 16 CCR 416, 418, 3060, and 3061**  
Amended regulations to conform to statutory changes made by Assembly Bill 2138 (Chiu, Ch. 995, Stats.2018).
- **Review and Appeals of Engineering and Land Surveying Examinations (effective October 1, 2021) – 16 CCR 443 and 444**  
Repealed sections that had become obsolete by their own terms.

- **Geology and Geophysics Examination Fees, Abandoned Applications, Postponements, and Examinations (effective June 29, 2023) – 16 CCR 3005, 3024, 3024.5, 3026, and 3031**

Added, amended, and repealed sections relating to payment of fees for national geology licensure examinations, abandonment of geology and geophysics licensure applications, postponement of geology and geophysics licensure examinations, and components and scoring of the geology and geophysics licensure examinations.

### **Board-initiated Studies - Continuing Education**

During the Board's discussion of the recently adopted 2022-27 Strategic Plan, the Board established an objective to develop a strategy for implementing a continuing education requirement to help licensees maintain and improve their professional knowledge and awareness of new, pertinent laws. Subsequent Board discussions have centered on the establishment of a committee (represented by two board members and Board's executive leadership) to identify steps for evaluating the feasibility of such an implementation for its regulated licensees and to provide recommendations to the Board. The committee is currently in the early stages of gathering data from similar licensing boards across the nation and the professional communities within California.

### **National Associations**

Due to the overall regulatory responsibilities assigned to the Board as it relates to the licensing of engineers, land surveyors, geologists, and geophysicists, the Board retains a longstanding participatory membership in two national associations primarily related to the examination requirements for its various license types.

#### **National Council of Examiners for Engineering and Surveying (NCEES)**

The Board is an active voting member of NCEES, which is a national non-profit organization composed of sixty-nine (69) member licensing boards representing all 50 states, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, and the Northern Mariana Islands. NCEES is dedicated to advancing professional licensure for engineers and surveyors. It develops, administers, and scores the examinations used for engineering and surveying licensure in the United States. Fifteen of the Board's 22 licenses/certifications require passage of the national engineering and land surveying examinations that are developed, scored, and administered by NCEES.

Membership with NCEES is categorized into four separate regional zones: Northeast; Southern; Central; and Western Zones. California is one of 15 states or territories that comprise the Western Zone.

NCEES regularly schedules two primary member meetings on an annual basis, an Interim Zone meeting for each zone, typically held in the spring, and the Annual Meeting, which is typically held in August. Each member board of NCEES is allowed one vote during the Interim Zone meeting and again during the Annual Meeting for actions associated with changes to the established policies or procedures related to exam development, exam

administration, fees charged to applicants and to the Board, model licensing criteria, and overall NCEES organizational goals. Often, the actions to be voted on at these annual meetings will result in changes to the criteria that are considered acceptable for licensure and to the content of the exams. As such, in-person attendance by California Board representatives at these meetings is critical towards ensuring that these actions are not discriminatory for California applicants and licensees and that the content of the exams is appropriate for licensure in California with due regard to protecting the public health, safety, welfare, and property.

Even though the Board only holds only one of the council votes by membership, NCEES national exam candidates seeking licensure in California represent one-fourth of all engineering and land surveying examinations nationwide on an annual basis. This statistic, coupled with the disciplinary-specific nature of California's licensing model, are primary examples for why continued active participation on the national level is critical for California constituents.

Since the last Sunset Report, the topic of multi-state licensure (a licensed individual seeking comity or reciprocal licensing in one or more additional states) has increased in terms of discussion and focus on the national level. This requires representatives of the California Board, as well as other similar licensing boards outside of California, to be well-versed on how licensing in this regard is being conducted and accepted on a national level, all in preparation for ensuring that existing license holders from other jurisdictions are satisfying the same or equivalent criteria as California-based applicants are required to do.

Travel expenses to the meetings are funded through the member fees that the Board already pays and do not require an additional expenditure of Board funds.

Since the Board's last Sunset Report, representatives from the Board were generally granted approval to attend the spring Western Zone Interim Meetings and the August Annual Meetings. Most recently, the Board received approval from the Business, Consumer Services, and Housing Agency and the Governor's Office to attend the 2023 Annual Meeting which was held in Boston, Massachusetts, and will be seeking state approval to travel for the 2024 Western Zone Interim Meeting scheduled to be held in the spring of 2024 in Bozeman, Montana.

Licensed members of the Board regularly collaborate with NCEES on the examination processes by serving on examination committees, participating in examination development workshops, and reviewing/evaluating changes to the national examination test specifications. More specifically, representatives from the Board have served on standing committees relating to Education, Finance, Examinations for Surveyors, Examinations for Engineers, Law Enforcement, and Member Board Administrators, in addition to several special purpose task forces related to technological advances affecting the practices of engineering and surveying.

Generally speaking, representatives from the Board provide a great deal of influence and leadership at NCEES with much involvement from Board Members and staff serving on many of the committees that are appointed each year. Executive Officer Richard Moore recently completed his fourth consecutive two-year term as the Western Zone Secretary-Treasurer and continues to actively serve on other NCEES committees, including the committee on Examinations for Professional Surveyors (EPS). Enforcement Program Manager, Tiffany Criswell, is currently serving her second term on NCEES's Law Enforcement Committee. Board member Coby King is currently serving on NCEES's Advisory Committee on Council Activities (ACCA) after previously having served on the Special Committee on Bylaws. Board Member Alireza Asgari, Ph.D., S.E., continues to serve NCEES relating to development of the structural engineering examination. Former Board Member Mohammad Qureshi, Ph.D., PE, is currently serving in the second year of his two-year term as Western Zone Vice-President (NCEES Board of Directors), and the Board recently nominated him for election to be the 2024-25 NCEES President-Elect (the election is scheduled to be held at the Western Zone Interim Meeting in spring 2024). Former Board Member Patrick Tami, PLS, is currently serving on the Surveying and Mapping Sciences Licensure Task Force while previously serving as President of NCEES in 2017-18.

#### National Association of State Boards of Geology (ASBOG)

The Board is an active voting member of ASBOG, a national non-profit organization composed of 30 member licensing boards from across the nation. ASBOG is dedicated to advancing professional licensure for geologists. It develops, administers, and scores the national examinations predominantly used to license geologists in the United States.

ASBOG regularly schedules Council of Examiner Workshops twice a year and an Annual Meeting, usually held in the fall concurrent with the fall workshop. These meetings are generally held to evaluate examination content and determine exam policy and/or fees, and participation is critical at these meetings to ensure California's interests are expressed and that we are given consideration in decisions that will affect the Board and its licensees. Travel expenses to attend these meetings are the responsibility of the Board, and while this travel may involve the expenditure of Board funds, it is a minimal and necessary expense to ensure that California's interests are represented on a national scale. As with the aforementioned national engineering and surveying examinations, candidates seeking licensure in California represent one-quarter of all examinations for geologist licensing nationwide, on an annual basis.

While state travel approval to attend the national ASBOG meetings is more problematic, presumably due to the Board having to incur travel expenses, the Board has received approval more often since the last Sunset Report. The 2023 ASBOG Annual Meeting and Exam Workshop was held in October 2023 in Spokane, Washington. Geologist Board Member, Elizabeth Mathieson, PG, and Staff Senior Registrar Geologist, Joshua Goodwin, PG, were both in attendance representing the California Board.

As with the aforementioned Board involvement with NCEES, California has earned a great deal of influence among the ASBOG member boards.

# SECTION 2



## Section 2 – Fiscal and Staff

### **Fiscal Issues and Fund Condition**

As a Special Fund agency, the Board receives no General Fund support and relies solely on fees set by statute, which are primarily collected as licensing and renewal fees.

The Board's budget authority is the Professional Engineer's, Land Surveyor's, and Geologist's Fund (0770). The Fund is appropriated from the Governor under the Business, Consumer Services and Housing Agency to DCA. The Board's Fund is not considered to be a "continuously appropriated fund." The reserve level for the program is defined in B&P Code § 128.5(a) as "an amount that equals or is more than the agency's operating budget for the next two fiscal years." This law also requires fee changes to reduce surplus funds if the reserve exceeds 24 months. The Board operates within the budget established by the legislature and does not exceed the authorized expense threshold.

As of June 30, 2023, the reserve is projected at two months, with a \$2.4 million fund balance reserve for economic uncertainties. Beginning in FY 2019/20, the Board funded a Business Modernization effort entirely from the fund balance reserve. The Board closely monitors reserve, revenue, and expenditures presented in financial statements that are standing agenda items for all Board meetings. In the current economic climate with inflationary pressures, the costs of doing business have increased. Factors which impact the Board's expenses include increases in the Office of the Attorney General's hourly rates, general salary and benefit increases for Board and Department staff, and Department Pro Rata expenses.

Decreases in renewal licensing fee revenue could have a significant and detrimental impact on the Board's fund condition. Revenue from licensing renewals makes up 80% of the Board's total revenue. Fee increases, which became effective January 1, 2021, had a positive impact on the overall revenue; however, the volume of license renewal applications has trended down. In FY 2020/21, there was a 2% decrease in renewal application volume as compared to the like period of FY 2018/19, and there was a 4% decrease in renewal application volumes in FY 2021/22 as compared to FY 2019/20. Due to a backlog in approving Civil Engineer license applications, the Board is projecting a slight increase in license renewal applications for FY 2023/24 and FY 2024/25 as Board staff works through that backlog and individuals become licensed; however, if the trend continues downward while expenses increase, the fund could become insolvent without additional fee increases. Board staff continuously monitors these numbers and trends in order to react in a timely manner to issues that may impact the Board's fund.

**Table 2. Fund Condition**

(Dollars in Thousands)	FY 2018/19	FY 2019/20	FY 2020/21	FY 2021/22	FY 2022/23	FY 2023/24 <sup>3</sup>	FY 2024/25 <sup>3</sup>
Beginning Balance <sup>1</sup>	\$8,787	\$7,207	\$4,879	\$3,005	\$3,690	\$2,481	\$920
Revenues and Transfers	\$8,518	\$8,572	\$8,559	\$12,528	\$11,395	\$12,541	\$11,727
<b>Total Revenue</b>	\$17,305	\$15,779	\$13,438	\$15,533	\$15,085	\$15,023	\$12,647
Budget Authority						\$14,103	\$14,436
Expenditures	\$11,198	\$10,935	\$11,087	\$11,743	\$12,603		
Loans to General Fund <sup>2</sup>	\$0	\$0	\$0	(\$385)	\$0	\$0	\$0
Accrued Interest, Loans to General Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Loans Repaid From General Fund	\$800	\$0	\$0	\$0	\$0	\$0	\$0
<b>Fund Balance</b>	\$6,907	\$4,844	\$2,351	\$3,405	\$2,482	\$920	(\$1,789)
<b>Months in Reserve</b>	7.6	5.2	2.4	3.2	2.1	0.8	(1.5)

<sup>1</sup> Actuals include prior year adjustments

<sup>2</sup> Includes EO transfer to GF (AB 84)

<sup>3</sup> Projections to full appropriations

## **General Fund Loans**

The Board received the final payment to the General Fund loan made in FY 2011/12 of \$800,000 in FY 2018/19. The full loan has been repaid with total interest income of \$82,142.68. There are no outstanding loans at this time.

## **Expenditures by Program**

The Board is composed of four units –Licensing, Examination, Enforcement, and Administration/Executive Services – that support and enforce its statutes and regulations.

Under the Board's internal accounting practices, the Licensing Unit is sustained by application fees, the Examination Unit is sustained by examination fees, and the Administration/Executive Services Unit, the Enforcement Unit, and pro rata are sustained by renewal fees.

The Licensing Unit reviews and processes applications, processes licenses and certificates for all license types under the Board's authority, and licenses qualified candidates. [See Section 3 – Licensing Program for more information.] This unit accounted for approximately 16% (\$1.8 million) of total expenses in FY 2022/23.



The Examination Unit develops and administers state-specific examinations, determines examination passing scores for state-specific examinations, and issues result notifications to licensure candidates for some of the state-specific examinations and for the ASBOG national examinations. The unit also works with the national (NCEES and ASBOG) and state vendors to ensure eligible candidates are able to schedule for examinations as needed. Additionally, the unit monitors the specifications of the national examinations and coordinates occupational analyses of the state-specific examinations to confirm that the examinations are covering appropriate topics for licensure in California. [See Section 3 – Licensing Program – Examinations for more information.] This unit accounted for approximately 27% (\$3 million) of total expenses in FY 2022/23.

The Enforcement Unit receives and investigates all complaints related to professional engineering, land surveying, geology, and geophysics, and pursues enforcement action, if warranted. [See Section 4 – Enforcement Program for more information.] This unit accounted for approximately 21% (\$2.4 million) of total expenses in FY 2022/23.

The Administrative Services Unit supports the Licensing, Examination, and Enforcement Units and maintains the day-to-day operations at the Board. Administration costs include executive staff, board, administrative support, and fiscal services. This unit accounted for approximately 22% (\$2.48 million) of total expenses in FY 2022/23.

DCA pro rata is projected at \$2 million for FY 2023-24. DCA pro rata accounted for 15% of budgeted expenses (\$1.7 million) for FY 2022-23. Included in the DCA pro rata are expenses related to a new Business Modernization implementation. DCA pro rata expenses for Business Modernization allocated to the Board were \$127,000 in FY 2020/21, \$127,000 in FY 2021/22, and \$128,000 in FY 2022/23; \$122,000 is projected for FY 2023/24.

**Table 3. Expenditures by Program Component**

(list dollars in thousands)

	FY 2018/19		FY 2019/20		FY 2020/21		FY 2021/22		FY 2022/23	
	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E
Enforcement	\$1,329	\$1,273	\$1,265	\$1,098	\$1,078	\$1,596	\$1,301	\$1,391	\$1,286	\$1,143
Examination	\$1,124	\$1,314	\$1,051	\$1,418	\$1,177	\$1,348	\$1,181	\$1,461	\$1,165	\$1,925
Licensing	\$851	\$304	\$1,168	\$354	\$988	\$466	\$1,217	\$368	\$1,376	\$466
Administration*	\$1,429	\$459	\$1,539	\$423	\$1,430	\$612	\$1,724	\$473	\$1,897	\$585
DCA Pro Rata	N/A	\$2,263	N/A	\$1,592	N/A	\$1,548	N/A	\$1,762	N/A	\$1,701
Diversion (if applicable)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>TOTALS</b>	<b>\$4,733</b>	<b>\$5,613</b>	<b>\$5,023</b>	<b>\$4,885</b>	<b>\$4,673</b>	<b>\$5,570</b>	<b>\$5,423</b>	<b>\$5,455</b>	<b>\$5,724</b>	<b>\$5,820</b>

\*Administration includes costs for executive staff, board, administrative support, and fiscal services.

### **BreEZe and Business Modernization Expenses**

Actual BreEZe expenses for the Board have totaled \$1,720,033 since FY 2009/10. Since the Board does not use BreEZe, the Board no longer funds any BreEZe development; all

expenses related to BreEZe are now allocated to the boards and bureaus who use BreEZe.

In November 2017, the Department of Consumer Affairs (DCA) launched a Business Modernization initiative to address business and technology needs for programs that currently rely on legacy technology solutions. To embrace the unique nature of each program and to provide some process standardization, the boards and bureaus (programs) within the DCA are following a methodical step-by-step approach to assist in moving their programs forward. The Board is part of the Business Modernization Cohort 1 (BMC 1) to develop and launch automation of the licensing, enforcement, educational, and administrative functions. This was created to address the business needs of DCA programs to better serve consumers, applicants, and licensees.

The Board began funding this Business Modernization project in FY 2019-20. Expenses related to the Business Modernization effort are directly allocated to participants in BMC 1, which includes the Board and three other programs.

<b>Business Modernization Cohort 1 (BMC1)</b>	
<b>Fiscal Year</b>	<b>Expenses</b>
2019-20	\$389,404
2020-21	\$959,859
2021-22	\$631,634
2022-23	\$538,470
2023-24 (Projected)	\$794,000

Credit Card Fees are costs associated with payments made by applicants and licensees for application fees or renewal fees through the Board's online platform BPELSG Connect. These costs are not passed through to applicants and licensees; they are absorbed by the Board. As more initial applications are implemented in BPELSG Connect and online adoption of the platform for renewals increases, these costs are naturally expected to increase however, processing online card payments is more efficient than staff manually processing checks and the external users receive timely notice of receipt.

<b>Credit Card Fees</b>	
<b>Fiscal Year</b>	<b>Transaction Fees</b>
2019-20	\$63,535
2020-21	\$87,900
2021-22	\$152,160
2022-23	\$165,110
2023-24 (Projected)	\$175,000
2024-25 (Projected)	\$185,000

## **BPELSG Connect**

The success of the BMC 1 effort for the Board resulted in the development and implementation of BPELSG Connect, which had a significant impact on the operations of the Board and immediate impact on how applicants and licensees interacted with the Board for necessary services.

The first phase of BPELSG Connect successfully transitioned the Engineer-in-Training (EIT) and Land Surveyor-in-Training (LSIT) application process to an online process which can be collaboratively managed by both the applicant and Board staff. The implementation of BPELSG Connect had a significant positive impact on processing times for EIT and LSIT initial applications. Additionally, this release included the ability for a complaint related to a licensee or for unlicensed practice to be submitted to the Board fully through an online process, replacing the previous manner of downloading a form and mailing that to the Board.

Phase 2 of BPELSG Connect went live for license renewals in January 2021, and there was an immediate and significant adoption of the online platform by licensees. As of July 2023, 80% of active (those eligible for renewal) licenses have BPELSG Connect profiles linked and licensees may elect to renew their license in BPELSG Connect. Phase 2 also included functionality to allow applicants and licensees to make address changes in BPELSG Connect through their user dashboards. Prior to the Phase 2 release, address changes were requested by applicants and licensees in writing or through a web form. Board staff updated applicant and licensee addresses in ATS and CAS.

In June 2021, Phase 3 launched with functionality extending the ability for applicants to submit applications for Professional Engineer licenses which do not require a state exam component. This phase included Professional Engineer initial applications in the following disciplines: Agricultural, Chemical, Control System, Electrical, Fire Protection, Industrial, Mechanical, Metallurgical, Nuclear, and Petroleum. Prior to BPELSG Connect, applications were submitted on paper forms, and Board staff used ATS and CAS to track applications and licenses. The implementation of Phase 3 of BPELSG Connect had a significant and positive impact as the Board staff were able to absorb the increase in volume and improve the average processing days.

In November 2021, the Board launched Release 3.5 of its BPELSG Connect online platform, which featured the addition of submittal and processing for both Civil Engineer and Land Surveyor license applications, both of which require an additional state exam component, and refinements to existing application functionality. The new functionality allowed existing legacy applicants (those applicants in-process prior to the release of Phase 3.5) to apply to the Board to schedule for state examinations and re-examinations and automated the notifications to approved applicants to transmit exam eligibility within the BPELSG Connect platform.

The Board subsequently launched the Maintenance and Operations (M&O) phase in spring 2023 with the Geologist-in-Training and Professional Geologist initial applications.

This functionality was launched concurrently with changes in the ASBOG national examination requirements as applicants must now apply to the Board to establish eligibility to sit for the national Fundamentals of Geology (FG) and Practice of Geology (PG) but pay the examinations fees directly to ASBOG and schedule to sit for the exams through the ASBOG third party computer-based-testing (CBT) examination administrator.

The remaining initial applications for license types including Certified Engineering Geologist, Certified Hydrogeologist, Geotechnical Engineer, Professional Geophysicist, Structural Engineer, and Traffic Engineer are continuing to be accepted by the Board as paper applications and processed in the legacy ATS system. The Board is working to implement these initial applications for the remaining license types into BPELSG Connect during the 2024/25 timeframe and expects the implementation to have a positive effect on the licensing performance measures.

### **License Renewal Cycles**

Professional engineer and land surveyor licensees renew on a biennial cycle from the original assigned date of renewal. Renewals are staggered on a quarterly basis throughout the calendar year. Professional geologist and geophysicist licensees renew on a biennial cycle based on birth month and year the original license was issued.

The application fee for first-time licensure for professional engineers and land surveyors includes licensure through the first renewal quarter after the license is issued. Approximately one to two months after being notified of licensure, first-time licensees will receive a renewal notice for payment of the full renewal fee. Once renewed, the license will be valid for an additional two years. Professional engineers and land surveyors are on biennial quarterly renewal cycles ending March 31, June 30, September 30, and December 31. The largest quarters, in terms of volume, are June (30% of active licenses renew) and September (26% active licenses renew).

The application fee for first-time licensure for professional geologists and geophysicists includes licensure through the end of the licensee's birth month after the license is issued. Approximately one to two months prior to the first-time licensee's birth month, a renewal notice for payment of the full renewal fee will be issued. Once renewed, the license will be due for renewal on a two-year cycle.

### **History of Fee Changes**

The most recent fee change was effective June 29, 2023. The Office of Administrative Law approved the Board's proposed action to amend 16 CCR 3005, 3024, and 3031, repeal 16 CCR 3026, and adopt 16 CCR 3024.5. This action re-aligned regulatory fees to account for policy modifications that required applicants to pay national exam fees directly to the national exam administrator. The examination system for Professional Geologists includes the national Fundamentals of Geology (FG) and Practice of Geology

(PG) examinations that are administered through the National Association of State Boards of Geology (ASBOG). Applicants submit an application with the application fee to the Board. The Board then approves or denies the applicant and then authorizes the approved applicant to schedule to sit for one or both national ASBOG examinations. Until spring 2023, the ASBOG examinations were pencil and paper examinations, and the examination fees were collected by the Board and paid to ASBOG. The examination transitioned to a computer-based testing (CBT) format with the spring 2023 administration, and, with this regulatory change, applicants now register directly with ASBOG and pay the examination fees directly to ASBOG. The Board no longer collects the examination fees associated with the national examinations and passes them on to ASBOG.

On November 18, 2020, the Office of Administrative Law approved the Board's proposed action to amend 16 CCR 407, 410, and 3005, and to adopt 16 CCR 3010. This regulatory action, which became effective on January 1, 2021, was needed to address structural imbalances in the Board's budget and to help ensure future fiscal solvency. It standardized fees for all regulated professions under the Board's jurisdiction, including aligning all renewal fees across all license types. As a result of the fee increase, the Board recognized a \$3,584 increase in revenue for FY 2021/22 over FY 2020/21.

The prior fee change for the Board was in FY 2012/13 which re-aligned regulatory fees to account for policy modifications that required applicants to pay national exam fees directly to the national exam administrator for engineering and land surveying examinations. The Board's fees decreased to reflect the cost of application, exam, and renewal evaluation and staff time. A complete restructuring reduced fees related to application fees for professional licensure (\$275 to \$125); application fees for the in-training certifications (\$100 to \$50); professional license renewal fees (\$125 to \$115); and one-time retired license fees (\$87.50 to \$62.50). It also added a state-specific exam administration fee of \$150.

**Table 4. Fee Schedule and Revenue**

(list revenue dollars in thousands)

Fee	Current Fee Amount	Statutory Limit	FY 2018/19 Revenue	FY 2019/20 Revenue	FY 2020/21 Revenue	FY 2021/22 Revenue	FY 2022/23 Revenue	% of Total Revenue
Initial Application Fees <sup>1</sup>	Varies	See Comment	\$636	\$460	\$664	\$985	\$842	7.4%
State Specific Examinations <sup>2</sup>	\$175.00	See Comment	\$1,214	\$968	\$894	\$1,093	\$1,069	9.4%
Biennial Renewal <sup>3</sup>	\$180.00	\$400.00	\$6,259	\$6,833	\$6,707	\$10,142	\$9,047	79.4%
Retired License <sup>4</sup>	\$75.00	See Comment	\$28	\$31	\$41	\$58	\$52	.4%
Delinquency Biennial Renewal <sup>5</sup>	\$90.00	See Comment	\$75	\$70	\$122	\$149	\$169	1.5%
All Other Revenue	N/A	N/A	\$306	\$210	\$131	\$100	\$215	1.9%
Total Revenue	N/A	N/A	\$8,518	\$8,572	\$8,559	\$12,527	\$11,394	100%

(1) Fee authority for Initial Applications fees can be found in B&P Code §§ 6799(a)(1), 7887(a), and 8805(a) and 16 CCR 407(a)(1-5) and 3005(a)(1-3). Current fee amounts for In-Training Certificates is \$75.00 and the statutory limit is \$100. Current fee amounts for all other licenses is \$175.00 and the statutory limit is \$400.00.

(2) Fee authority for State Specific Examination fees can be found in B&P Code §§ 6799(a)(2), 7887(e) and (f), and 8805(b) and 16 CCR 407(b)(1-5) and 3005(b)(1-3). Fees can be no greater than actual cost of the development and administration.

(3) Fee authority for Biennial Renewal fees can be found in B&P Code §§ 6799(a)(3), 7887(b) and (c), and 8805(c) and 16 CCR 407(c) and 3005(d).

(4) Fee authority for Retired License fees can be found in B&P Code §§ 6799(a)(4), and 7887(g), and 8805(d) and 16 CCR 407(d) and 3005(g). Fees are limited to not more than 50% of PE or PLS application fee in effect at the time.

(5) Fee authority for Delinquent Biennial Renewal fees can be found in B&P Code §§ 6799(a)(5), 7887(d), and 8805(e) and 16 CCR 407(g) and 3005(e). Fees are limited to not more than 50% of the renewal fee in effect on the date of reinstatement.

## **Budget Change Proposals**

There have been no Budget Change Proposals requested or approved in the last five years.

## **Staffing Issues**

Implementation of BPELSG Connect has had a significant and positive impact on workload and business processes for all of the Board's units, specifically the Administration Services and Licensing units.

Effective October 2021, the Administrative Services unit redirected a full-time Applicant Cashier Office Technician to the Licensing unit as 90% of the incoming application transactions were implemented in BPELSG Connect. Prior to October 2021, 60% of the duties performed by the Applicant Cashier were directly related to cashiering incoming initial applications, exam applications, and re-examination applications. The remaining initial and exam application cashiering duties were absorbed by staff in the Administration Services unit. The Licensing unit had a vacant Office Technician position, and the Office Technician was redirected to this vacant position.

Effective July 2022, the Licensing unit reclassified three Program Technician II (PT II) positions to Staff Services/Associate Governmental Program Analyst (SSA/AGPA) positions. Although the implementation of BPELSG Connect had a positive effect on average processing times, there was a significant increase in the rates of application submissions that has resulted in a backlog. To reduce processing times, the Licensing unit upgraded the Licensing Evaluator positions from PT II to SSA/AGPA which allow the Licensing Evaluators to perform more analytical tasks related to evaluating various requirements for certification or licensure related to education and experience criteria. Prior to the implementation of BPELSG Connect, there was a higher burden of data entry and assembling of paper application packages, making it difficult to include this analysis prior to submitting the application package to the Senior Registrars for technical review. With the introduction of BPELSG Connect, it is beneficial to have the Licensing Evaluators perform calculations to ensure the education, references and engagement records meet

the minimum criteria before submitting the application for technical review. This change has resulted in applications being reviewed more thoroughly and additional deficiencies being identified and remediated in the Evaluator Initial Review stage, prior to the application being reviewed by the Senior Registrars. Board staff continue to study deficiency rates and types and improve applicant instructions and communications to reduce deficiencies and processing times.

Effective January 2023, the Board was able to reduce staffing levels by two Seasonal Clerks and one Office Assistant in response to changes in workload and business processes introduced with the implementation of BPELSG Connect. The Board continues to monitor workload and business processes and will make additional staffing level adjustments as needed with the vacant positions.

### **Vacancy Rates**

Staffing Vacancy Rates are as follows:

- FY 2018/19: 43.7 Authorized positions and 1 vacancy (2%)
- FY 2019/20: 43.7 Authorized positions and 3 vacancies (7%)
- FY 2020/21: 43.7 Authorized positions and 3 vacancies (7%)
- FY 2021/22: 43.7 Authorized positions and 4 vacancies (9%)
- FY 2022/23: 43.7 Authorized position and 3 vacancies (7%)

The Board conducts regular reviews of staff duties and monitors staffing levels and duties based on changing operational needs. Participation in the Business Modernization initiative has changed requirements in the Administrative Services and Licensing units, and the Board has used redirections and reclassifications to best allocate staff resources and respond to these changing requirements. There are currently three vacant positions, and the Board is not pursuing recruitment efforts for these positions at this time pending further development of BPELSG Connect and ongoing assessments of operational needs. The Board actively recruits to refill vacant positions as needed.

### **Training and Development**

Staff training is necessary to enhance and improve skills, performance, and customer service. The Board's mission is principally focused on consumer protection. Purposeful staff training and development support the Board's service delivery and support the achievement of its mission.

DCA administers a wide variety of classes through their Strategic Organization, Leadership, and Individual Development (SOLID) program. Courses that SOLID provides are free to the Board staff. With a vast selection of courses to choose from, the Board staff can learn and enhance their skills at any time in any class or way that they choose. SOLID's Learning Management System (LMS) is used to assign training to Board staff and monitor progress.

Additionally, the Board can arrange more specific training for any staff whose duties require more specialized knowledge than those offered by SOLID. In these instances, the Board can contract with outside organizations as budgetary limitations allow. “Outside” training costs are minimal and not a source of significant expenses.



# LICENSING PROGRAM

## SECTION 3



## Section 3 – Licensing Program

### **Licensing Program Performance Targets (Initial Applications)**

The Board's application guidelines are governed by different statutory requirements which pose challenges in using a metric from the date the application is submitted until the applicant is licensed as some licensure competency requirements include passing state specific examinations after the initial application has been approved in technical review. Scheduling examinations and re-examinations is performed by the approved applicant. The application review process includes a background review including fingerprints and a state and federal criminal history check. The background review is performed concurrently with an initial evaluation by Licensing unit staff and depending on the responsiveness of the DOJ process, usually prior to a technical review performed by a Senior Registrar. The evaluator's initial review is done to ensure the submitted application and required associated documentation is complete. The technical review is performed after the evaluator's initial review once the submitted application is considered complete.

The best indicator of the licensing unit performance is reporting, across all license types, the number of days it takes for applications to be deemed complete in the evaluator initial review stage and then subsequently approved by technical review.

The Board measures the performance of the licensing program by monitoring the processing cycle days for various stages of application review:

- Number of days from application submission date to date of completion of evaluator initial review,
- Number of days from completion of evaluator initial review to approval in technical review,
- Total number of days from application submission date to approval in technical review.

Formalized license performance measures are reported to DCA based on the number of days required for a complete (not deficient) application to be approved in technical review from the date of submission. The Engineer-in-Training (EIT) and Land Surveyor-in-Training (LSIT) applications do not require technical review and these metrics are from the date the application was submitted until the certificate was issued.

Board reporting capabilities are limited by access to data in department-wide reporting tools. As these tools have been upgraded, Board staff have gained greater access to raw data related to applications tracking and licenses. In late 2019, DCA Office of Information Services (OIS) added Applicant Tracking System (ATS) and Consumer Affairs Systems (CAS) data to the IBM Cognos Analytics platform, referred to by the department as Quality Business Interactive Reporting Tool (QBIRT). This has enhanced the Board's ability to extract data from ATS and CAS for use in developing and monitoring key performance

indicators. Late 2021, DCA OIS began working on an interim data package to include data for the BPELSG Connect platform, and Board staff have worked with OIS to gain access to data extracts for use in developing and monitoring key performance indicators for BPELSG Connect related applications actions. DCA OIS is in the process of re-designing a more mature data package intended for use by all Business Modernization participants. Until this standardized data package and reporting is available, the reporting to provide metrics on the BPELSG Connect application deficiencies is manually performed and time-intensive creating barriers to effectively assessing performance measures and introducing timely and effective process efficiencies. The Board continues to work with DCA OIS to gain access to additional reporting, and it is anticipated the standardized BPELSG Connect data package and reports will be available by 2025.

Factors that impact processing timelines include application volume, rate and type of application deficiencies issued, and business processes. Historically, legacy paper forms for initial applications were received in the Administration Services unit and payments were cashiered before being released to the Licensing unit to begin processing. With the implementation of BPELSG Connect, applications submitted with non-credit card forms of payment are still held by the Administration Services unit before being released electronically to Licensing unit staff; however, all credit card forms of payment are immediately released to the Licensing unit. With the implementation of BPELSG Connect, at least 90% of the new initial applications are paid electronically online with a credit card, thereby significantly reducing the historical delay in staff manually processing application and licensing payments.

The first phase of the Board's system, known as BPELSG Connect, successfully transitioned the Engineer-in-Training (EIT) and Land Surveyor-in-Training (LSIT) application process to an online process which can be managed both by the applicant and Board staff.

The implementation of BPELSG Connect had a significant positive impact on processing times for EIT and LSIT initial applications. The performance target for application processing is 60 days for complete applications from the date of submission to application approval. With the implementation of BPELSG Connect, the licensing program has been meeting or exceeding the performance targets for approving EIT and LSIT initial applications. Since the launch of BPELSG Connect for these applications, there has been an 8% decrease in applications received and a corresponding drop in applications approved; however, the average processing days has decreased significantly from averaging 83 days for review and approval in the 33 months preceding the launch to an average of 13 days for applications reviewed and approved since the launch of BPELSG Connect. The Board believes the decrease in applications received is primarily aligned with the changes observed nationwide in the engineering and surveying industries as well as social events which have contributed to this impact.

In June 2021, Phase 3 launched with functionality extending the ability for applicants to submit applications for Professional Engineer licenses which do not require a state exam component. This phase included Professional Engineer initial applications in the following

disciplines: Agricultural, Chemical, Control System, Electrical, Fire Protection, Industrial, Mechanical, Metallurgical, Nuclear, and Petroleum. Prior to BPELSG Connect, applications were submitted on paper forms, and Board staff used ATS and CAS to track applications and licenses. With the implementation of BPELSG Connect, the licensing program has been meeting or exceeding the performance targets for approving initial applications for license types associated with Phase 3 launch of BPELSG Connect. For initial applications in these license types, the number of applications received outpaced the number of applications approved in the year after Phase 3 of BPELSG Connect was launched. In FY 2021/22 and 2022/23, the number of applications approved kept pace with the volume of applications received. There was a 26% increase in the volume of initial applications received in the 24 months after the Phase 3 BPELSG Connect launch over the preceding period and a 42% increase in the applications approved. The average processing days dropped from 107 days on average to 83 days. The implementation of Phase 3 of BPELSG Connect had a significant and positive impact as the Board staff were able to absorb the increase in volume and improve the average processing days.

In November 2021, the Board launched Release 3.5 of its BPELSG Connect online platform, which featured the addition of submittal and processing for both Civil Engineer and Land Surveyor license applications, both of which require an additional state exam component, and refinements to existing application functionality. The new functionality allowed existing legacy applicants (those applicants in-process prior to the release of Phase 3.5) to apply to the Board to schedule for state examinations and re-examinations and automated the notifications to approved applicants to transmit exam eligibility within the BPELSG Connect platform.

The Board received a record number of initial Civil Engineer applications during the latter half of FY 2021/22 and into FY 2022/23 with applications received outpacing application approvals in FY 2021/22 and FY 2022/23. In the 20 months since the BPELSG Connect implementation for Civil Engineer initial applications, the Board recorded a 69% increase in application volumes over the prior 20 months. While the platform increased efficiencies and Board staff were able to approve 20% more applications than in the prior period, the licensing program has not met processing targets for Civil Engineer applications; therefore, the processing timelines have increased. The Board has been studying this issue and found the Civil Engineer applications are taking significantly longer in the technical review stage than other Professional Engineering applications with a much higher rate of work experience-related deficiencies issued during technical review. The Board will continue to monitor the deficiency rates and processing timelines to identify if process improvements (technical within BPELSG Connect and/or in business processes) are warranted.

As of November 1, 2023, there are 664 applications pending Technical Review and 234 applications with deficiencies, pending action by the applicant to remediate the deficiency. Assuming 155 new initial application submissions per month, and an average approval rate of 200 applications per month, the Board anticipates meeting the target processing guidelines of 60 days for complete (not deficient) applications by summer 2024. The Board has assigned additional staff resources in reviewing Civil Engineer initial

applications and expects to begin meeting the processing target timelines by summer 2024.

Additionally, Professional Land Surveyor initial applications were included in the Phase 3.5 launch of BPELSG Connect. The performance target for application processing is 60 days for complete applications from the date of submission to application approval. With the implementation of BPELSG Connect, the licensing program has met the performance targets for approving Professional Land Surveyor initial applications. Since the launch of BPELSG Connect, the number of applications approved has largely kept pace with the volume of applications received.

The Board subsequently launched Maintenance and Operations (M&O) Phase 3 in spring 2023 with the Geologist-in-Training and Professional Geologist initial applications. This functionality was launched concurrently with changes in the ASBOG national examination requirements as applicants must now apply to the Board to establish eligibility to sit for the national Fundamentals of Geology (FG) and Practice of Geology (PG) but pay the examinations fees directly to ASBOG and schedule to sit for the exams through the ASBOG third party computer-based-testing (CBT) examination administrator. The performance target for application processing is 60 days for complete applications from the date of submission to application approval. Historically, the Board has been able to process and approve as many complete Geologist-in-Training and Professional Geology applications received on a semi-annual basis based on the applications' final filing dates as are currently being processed and approved in BPELSG Connect. The business process before the implementation of these initial applications in BPELSG Connect did not include tracking processing times for complete versus incomplete applications; however, the Professional Geologists initial applications approved in FY 2022/23 on average were approved within 65 days. The Geologist-in-Training applications averaged 104 review days before approval for the most recent fiscal year. It is expected that these applications will meet or exceed the target processing cycle times when the applications have fully transitioned to BPELSG Connect.

The remaining initial applications for license types including Certified Engineering Geologist, Certified Hydrogeologist, Geotechnical Engineer, Professional Geophysicist, Structural Engineer, and Traffic Engineer are continuing to be accepted by the Board as paper applications and processed in the legacy ATS system. Business processes for these applications do not allow for measuring processing cycle times for complete versus incomplete (deficient) applications, and the average processing times for these applications exceed the 60-day targets, likely due to inclusion of the incomplete/deficient applications. The Board is working to implement these initial applications for the remaining license types into BPELSG Connect during FY 2023/24 and expects the implementation to have a positive effect on the licensing performance measures.

## **Licensing Program Performance Targets (Renewal Applications)**

Phase 2 of BPELSG Connect went live for license renewals in January 2021, and there was an immediate and significant adoption of the online platform by licensees. As of July 2023, 80% of active (those eligible for renewal) licenses have BPELSG Connect profiles linked and licensees may elect to renew their license in BPELSG Connect. The Board has an aggressive processing target for renewal applications and generally meets or exceeds the targets. Factors that affect processing times are volume and changes in business processes.

Phase 2 also included functionality to allow applicants and licensees to make address changes in BPELSG Connect through their user dashboards. Prior to the Phase 2 release, address changes were requested by applicants and licensees in writing or through a web form. Board staff updated applicant and licensee addresses in ATS and CAS. Tasks and duties associated with the address changes accounted for 30% of a full time Board staff member and the Board estimates there were approximately 7,500 annual address change requests. By 2022, the number received by the Board decreased to approximately 3,800 requests. Based on decreases in staff time associated with these activities and other operational efficiencies related to implementation of BPELSG Connect, the Board was able to reduce staffing requirements by one seasonal clerk in the Administrative Services unit.

The Professional Engineers Act, specifically B&P Code §6795.1, required the Board to mail licensees renewal application forms within 60 to 90 days of the license expiration date. This section was repealed in 2022 because there is no longer a renewal application “form.” The Board was then able to change the reminder renewal notices to include instruction for licensees to create BPELSG Connect accounts and renew their licenses online. As expected, this increased online participation for renewal transactions. Online participation for renewal transactions in FY 2022/23 was 90%.

Effective January 1, 2023, new laws were enacted that required applicants and licensees to provide the Board with a valid email address (if they have one) and to notify the Board within 30 days of any change of their email address. B&P Code §§ 6767, 7856, and 8753 were added to the Professional Engineers Act, the Geologist and Geophysicist Act, and the Professional Land Surveyors’ Act, respectively.

Applicants are required to initially provide their email address at the time of application; licensees are required to initially provide their email address at the time of renewal. Applicants and licensees are also required to notify the Board within 30 days of any change of their email address. These sections do not require applicants and licensees to obtain an email address if they do not already have one. However, email is the preferred method of communication because it allows for more timely communication regarding application and license status.

**Table 6. Licensee Population**

License Type	Status	FY 2018/19	FY 2019/20	FY 2020/21	FY 2021/22	FY 2022/23
Agricultural Engineer	Active <sup>1</sup>	115	111	107	103	99
	Out of State	27	28	26	23	23
	Out of Country	2	1	2	2	2
	Delinquent/Expired	17	17	14	22	19
	Retired Status <i>if applicable</i>	45	47	49	51	54
	Inactive	0	0	0	0	0
	Other <sup>2</sup>	0	0	0	0	0
Chemical Engineer	Active <sup>1</sup>	1,908	1,917	1,880	1,840	1,820
	Out of State	538	492	532	487	500
	Out of Country	13	12	9	9	8
	Delinquent/Expired	200	216	223	326	313
	Retired Status <i>if applicable</i>	138	149	163	179	195
	Inactive	0	0	0	0	0
	Other <sup>2</sup>	0	0	0	0	0
Civil Engineer	Active <sup>1</sup>	57,320	57,847	57,806	57,479	57,447
	Out of State	14,704	13,785	14,618	13,882	13,892
	Out of Country	692	625	685	643	644
	Delinquent/Expired	5,291	5,316	5,326	5,717	4,498
	Retired Status <i>if applicable</i>	2,474	2,707	2,946	3,303	3,575
	Inactive	0	0	0	0	0
	Other <sup>2</sup>	0	0	0	0	0
Consulting Engineer	Active <sup>1</sup>	3	3	1	1	0
	Out of State	1	1	0	0	0
	Out of Country	0	0	0	0	0
	Delinquent/Expired	1	1	3	2	3
	Retired Status <i>if applicable</i>	5	5	5	5	5
	Inactive	0	0	0	0	0
	Other <sup>2</sup>	0	0	0	0	0
Control Systems Engineer	Active <sup>1</sup>	842	842	792	773	715
	Out of State	302	269	274	264	245
	Out of Country	3	4	3	3	3
	Delinquent/Expired	210	205	213	327	250
	Retired Status <i>if applicable</i>	325	330	346	357	373
	Inactive	0	0	0	0	0
	Other <sup>2</sup>	0	0	0	0	0
Corrosion Engineer	Active <sup>1</sup>	115	142	135	115	111
	Out of State	86	90	75	62	61
	Out of Country	0	0	0	0	0
	Delinquent/Expired	48	48	48	49	41
	Retired Status <i>if applicable</i>	46	48	49	52	53
	Inactive	0	0	0	0	0
	Other <sup>2</sup>	0	0	0	0	0

<sup>1</sup> Active status is defined as able to practice. This includes licensees that are renewed, current, and active.

<sup>2</sup> Other is defined as a status type that does not allow practice in California, other than retired or inactive.



**Table 6. Licensee Population (continued)**

License Type	Status	FY 2018/19	FY 2019/20	FY 2020/21	FY 2021/22	FY 2022/23
Electrical Engineer	Active <sup>1</sup>	10,283	10,619	10,593	10,854	10,921
	Out of State	3,398	3,705	4,024	4,046	4,168
	Out of Country	56	52	56	57	56
	Delinquent/Expired	1,515	1,532	1,544	1,594	1,332
	Retired Status <i>if applicable</i>	666	710	779	835	922
	Inactive	0	0	0	0	0
	Other <sup>2</sup>	0	0	0	0	0
Fire Protection Engineer	Active <sup>1</sup>	822	850	888	953	985
	Out of State	460	440	499	531	562
	Out of Country	12	12	13	11	12
	Delinquent/Expired	81	84	74	87	91
	Retired Status <i>if applicable</i>	75	79	82	86	93
	Inactive	0	0	0	0	0
	Other <sup>2</sup>	0	0	0	0	0
Geotechnical Engineer	Active <sup>1</sup>	1,378	1,317	1,364	1,338	1,324
	Out of State	214	210	201	191	189
	Out of Country	11	8	10	8	10
	Delinquent/Expired	71	71	82	153	110
	Retired Status <i>if applicable</i>	82	92	100	117	129
	Inactive	0	0	0	0	0
	Other <sup>2</sup>	0	0	0	0	0
Industrial Engineer	Active <sup>1</sup>	256	263	241	243	213
	Out of State	82	78	74	70	62
	Out of Country	1	2	1	2	1
	Delinquent/Expired	55	55	55	55	74
	Retired Status <i>if applicable</i>	157	159	163	168	179
	Inactive	0	0	0	0	0
	Other <sup>2</sup>	0	0	0	0	0
Manufacturing Engineer	Active <sup>1</sup>	243	228	204	180	148
	Out of State	101	106	88	75	68
	Out of Country	4	7	4	6	3
	Delinquent/Expired	84	66	62	60	89
	Retired Status <i>if applicable</i>	208	213	218	221	231
	Inactive	0	0	0	0	0
	Other <sup>2</sup>	0	0	0	0	0
Mechanical Engineer	Active <sup>1</sup>	15,323	15,612	15,548	15,411	15,452
	Out of State	5,298	4,991	5,339	5,153	5,264
	Out of Country	154	138	151	151	147
	Delinquent/Expired	1,302	1,373	1,389	1,525	1,761
	Retired Status <i>if applicable</i>	1,027	1,124	1,228	1,353	1,467
	Inactive	0	0	0	0	0
	Other <sup>2</sup>	0	0	0	0	0

**Table 6. Licensee Population (continued)**

License Type	Status	FY 2018/19	FY 2019/20	FY 2020/21	FY 2021/22	FY 2022/23
Metallurgical Engineer	Active <sup>1</sup>	194	190	192	187	190
	Out of State	56	57	56	53	60
	Out of Country	1	1	1	2	1
	Delinquent/Expired	30	34	26	46	43
	Retired Status <i>if applicable</i>	54	56	57	63	64
	Inactive	0	0	0	0	0
	Other <sup>2</sup>	0	0	0	0	0
Nuclear Engineer	Active <sup>1</sup>	295	270	258	204	195
	Out of State	122	142	111	93	88
	Out of Country	1	1	1	1	1
	Delinquent/Expired	81	74	58	61	77
	Retired Status <i>if applicable</i>	161	171	173	186	188
	Inactive	0	0	0	0	0
	Other <sup>2</sup>	0	0	0	0	0
Petroleum Engineer	Active <sup>1</sup>	312	314	310	289	284
	Out of State	160	154	154	138	139
	Out of Country	5	6	4	4	4
	Delinquent/Expired	36	39	36	39	39
	Retired Status <i>if applicable</i>	34	35	37	40	42
	Inactive	0	0	0	0	0
	Other <sup>2</sup>	0	0	0	0	0
Photogrammetric Surveyor	Active <sup>1</sup>	0	0	0	0	0
	Out of State	0	0	0	0	0
	Out of Country	0	0	0	0	0
	Delinquent/Expired	1	0	0	0	0
	Retired Status <i>if applicable</i>	0	0	0	0	0
	Inactive	0	0	0	0	0
	Other <sup>2</sup>	0	0	0	0	0
Professional Land Surveyor	Active <sup>1</sup>	4,118	4,086	4,013	3,956	3,892
	Out of State	709	626	693	481	643
	Out of Country	8	5	7	7	3
	Delinquent/Expired	214	218	208	209	334
	Retired Status <i>if applicable</i>	287	313	346	386	429
	Inactive	0	0	0	0	0
	Other <sup>2</sup>	0	0	0	0	0
Quality Engineer	Active <sup>1</sup>	283	257	204	176	142
	Out of State	134	153	108	89	74
	Out of Country	2	2	1	0	0
	Delinquent/Expired	105	89	96	92	96
	Retired Status <i>if applicable</i>	286	292	307	313	318
	Inactive	0	0	0	0	0
	Other <sup>2</sup>	0	0	0	0	0

**Table 6. Licensee Population (continued)**

License Type	Status	FY 2018/19	FY 2019/20	FY 2020/21	FY 2021/22	FY 2022/23
Safety Engineer	Active <sup>1</sup>	256	251	233	186	160
	Out of State	117	137	112	96	81
	Out of Country	0	0	0	0	0
	Delinquent/Expired	67	55	42	81	76
	Retired Status <i>if applicable</i>	158	165	172	181	188
	Inactive	0	0	0	0	0
	Other <sup>2</sup>	0	0	0	0	0
Structural Engineer	Active <sup>1</sup>	4,358	4,395	4,375	4,451	4,504
	Out of State	1,133	1,061	1,161	1,150	1,190
	Out of Country	39	37	42	47	47
	Delinquent/Expired	178	187	183	275	297
	Retired Status <i>if applicable</i>	179	196	212	246	260
	Inactive	0	0	0	0	0
	Other <sup>2</sup>	0	0	0	0	0
Traffic Engineer	Active <sup>1</sup>	1,485	1,528	1,509	1,492	1,479
	Out of State	170	156	162	154	148
	Out of Country	6	7	6	7	6
	Delinquent/Expired	83	88	97	142	136
	Retired Status <i>if applicable</i>	143	151	163	175	186
	Inactive	0	0	0	0	0
	Other <sup>2</sup>	0	0	0	0	0
Professional Geologist	Active <sup>1</sup>	5,116	5,070	5,032	5,020	4,984
	Out of State	1,181	1,026	1,134	1,018	1,011
	Out of Country	37	29	34	58	31
	Delinquent/Expired	357	358	376	568	588
	Retired Status <i>if applicable</i>	90	113	137	156	183
	Inactive	0	0	0	0	0
	Other <sup>2</sup>	0	0	0	0	0
Certified Engineering Geologist	Active <sup>1</sup>	1,471	1,467	1,432	1,411	1,362
	Out of State	213	175	204	175	169
	Out of Country	8	8	8	7	8
	Delinquent/Expired	118	109	115	156	172
	Retired Status <i>if applicable</i>	27	34	44	55	65
	Inactive	0	0	0	0	0
	Other <sup>2</sup>	0	0	0	0	0
Certified Hydrogeologist	Active <sup>1</sup>	926	928	922	894	876
	Out of State	158	123	154	132	133
	Out of Country	3	3	3	5	5
	Delinquent/Expired	34	43	43	85	93
	Retired Status <i>if applicable</i>	10	12	13	17	25
	Inactive	0	0	0	0	0
	Other <sup>2</sup>	0	0	0	0	0

**Table 6. Licensee Population (continued)**

License Type	Status	FY 2018/19	FY 2019/20	FY 2020/21	FY 2021/22	FY 2022/23
Professional Geophysicist	Active <sup>1</sup>	154	148	147	150	144
	Out of State	61	62	59	62	60
	Out of Country	4	4	4	4	4
	Delinquent/Expired	21	20	18	19	22
	Retired Status <i>if applicable</i>	7	7	7	7	10
	Inactive	0	0	0	0	0
	Other <sup>2</sup>	0	0	0	0	0

Note: "Out of State" and "Out of Country" are two mutually exclusive categories. A licensee should not be counted in both.

The Board's business processes have been significantly impacted as the Board has transitioned initial, re-examination, and renewal license applications from the legacy paper applications to the online BPELSG Connect platform. The legacy business processes did not include identifying and reporting license performance measures for applications that were submitted complete (with no deficiencies) versus applications submitted with deficiencies, and the Board did not track and report pending applications. As the Board has implemented initial applications in BPELSG Connect, tracking and reporting complete versus incomplete applications has been incorporated into business processes, and the Board has begun to study and track additional performance indicators.

Information reported in Table 7a Licensing Data by Type is aggregated between legacy ATS data and BPELSG Connect data. The Board can track initial and renewal license applications but, at this time, cannot track individual examination and re-examination applications. Board reporting capabilities are limited by access to data in department-wide reporting tools. As these tools have been upgraded, Board staff have gained greater access to raw data related to applications tracking and licenses. In late 2019, DCA Office of Information Services (OIS) added Applicant Tracking System (ATS) and Consumer Affairs Systems (CAS) data to the IBM Cognos Analytics platform, referred to by the department as Quality Business Interactive Reporting Tool (QBIRT). This has enhanced the Board's ability to extract data from ATS and CAS. Late 2021, DCA OIS began working on an interim data package to include data for the BPELSG Connect platform, and Board staff have worked with OIS to gain access to data extracts. DCA OIS is in the process of re-designing a more mature data package intended for use by all Business Modernization participants. The Board anticipates developing more comprehensive reporting and tracking for all types of initial, re-examination, and renewal applications once DCA OIS completes the work on re-designing the QBIRT BPELSG Connect data package.

Historically, license applications that required state examinations included license and exam application fees with the original application submission. In BPELSG Connect applicants pay examination fees only after they are approved in technical review, however there are no additional applications and/or application requirements and the Board does not have the ability at this time to report on examination and re-examination application volumes. The licensure competency requirements vary between license types and not all license types are required to sit for a California state examination. Applicants that are required to pass California state examinations may request to sit for examinations and re-examinations in BPELSG Connect. Due to limitations (discussed above) related to the reporting capabilities at this time, the Board is not able to report the number of examination and re-examination requests that have been received. As the QBIRT data package is updated the Board anticipates being able to report this information.

The Board is reporting licenses issued in Table 7a – Licensing Data by Type. The Board reports applications approved in Technical Review to DCA for the publication of License Performance Measures. The Cycle Times reported in Table 7a – Licensing Data by Type correspond to the cycle times reported for License Performance Measures.

The Board does not track applications “Closed” at this time. Initial license applications are either approved or pending, and renewal license applications are approved.

The Board does not track Pending Applications on a fiscal year basis; however, as soon as the BPELSG Connect implementation and reporting is finalized, the Board anticipates being able to accurately record and report the pending applications at the close of the fiscal year.

**Table 7a. Licensing Data by Type**

					Pending Applications			Cycle Times		
	Application Type	Received	Issued	Closed	Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps	Incomplete Apps	Combined, IF unable to separate out

**Agricultural Engineer**

FY 2018/19	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	2	1	NDA	NDA	NDA	NDA	N/A	N/A	191
	(Renewal)	43	43	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2019/20	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	1	0	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	66	66	NDA	NDA	NDA	NDA	N/A	N/A	2
FY 2020/21	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	4	4	NDA	NDA	NDA	NDA	N/A	N/A	84
	(Renewal)	57	57	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2021/22	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	5	4	NDA	NDA	NDA	NDA	N/A	91	N/A
	(Renewal)	54	54	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2022/23	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	5	2	NDA	NDA	NDA	NDA	46	N/A	N/A
	(Renewal)	41	41	NDA	NDA	NDA	NDA	N/A	N/A	3

**Certified Engineering Geologist**

FY 2018/19	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	43	24	NDA	NDA	NDA	NDA	N/A	N/A	73
	(Renewal)	726	726	NDA	NDA	NDA	NDA	N/A	N/A	5
FY 2019/20	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	9	29	NDA	NDA	NDA	NDA	N/A	N/A	91
	(Renewal)	682	682	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2020/21	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	29	11	NDA	NDA	NDA	NDA	N/A	N/A	108
	(Renewal)	704	704	NDA	NDA	NDA	NDA	N/A	N/A	4
FY 2021/22	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	40	19	NDA	NDA	NDA	NDA	N/A	N/A	62
	(Renewal)	725	725	NDA	NDA	NDA	NDA	N/A	N/A	4
FY 2022/23	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	20	12	NDA	NDA	NDA	NDA	N/A	N/A	65
	(Renewal)	639	639	NDA	NDA	NDA	NDA	N/A	N/A	8

Pending Applications	Cycle Times
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	Application Type	Received	Issued	Closed	Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps	Incomplete Apps	Combined, IF unable to separate out
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### Certified Hydrogeologist

FY 2018/19	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	25	22	NDA	NDA	NDA	NDA	N/A	N/A	70
	(Renewal)	457	457	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2019/20	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	11	11	NDA	NDA	NDA	NDA	N/A	N/A	108
	(Renewal)	443	443	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2020/21	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	12	9	NDA	NDA	NDA	NDA	N/A	N/A	99
	(Renewal)	479	479	NDA	NDA	NDA	NDA	N/A	N/A	4
FY 2021/22	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	24	9	NDA	NDA	NDA	NDA	N/A	N/A	96
	(Renewal)	415	415	NDA	NDA	NDA	NDA	N/A	N/A	4
FY 2022/23	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	10	11	NDA	NDA	NDA	NDA	N/A	N/A	98
	(Renewal)	463	463	NDA	NDA	NDA	NDA	N/A	N/A	7

### Chemical Engineer

FY 2018/19	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	61	54	NDA	NDA	NDA	NDA	N/A	N/A	82
	(Renewal)	943	943	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2019/20	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	46	41	NDA	NDA	NDA	NDA	N/A	N/A	73
	(Renewal)	899	899	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2020/21	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	45	39	NDA	NDA	NDA	NDA	N/A	N/A	86
	(Renewal)	942	942	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2021/22	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	58	61	NDA	NDA	NDA	NDA	73	105	N/A
	(Renewal)	930	930	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2022/23	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	60	51	NDA	NDA	NDA	NDA	33	90	N/A
	(Renewal)	892	892	NDA	NDA	NDA	NDA	N/A	N/A	2



Pending Applications	Cycle Times
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### Civil Engineer

FY 2018/19	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	1,689	1,350	NDA	NDA	NDA	NDA	N/A	N/A	117
	(Renewal)	26,471	26,471	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2019/20	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	1,634	1,082	NDA	NDA	NDA	NDA	N/A	N/A	130
	(Renewal)	30,254	30,254	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2020/21	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	1,143	1,088	NDA	NDA	NDA	NDA	N/A	N/A	126
	(Renewal)	27,655	27,655	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2021/22	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	2,217	1,375	NDA	NDA	NDA	NDA	116	169	N/A
	(Renewal)	30,445	30,445	NDA	NDA	NDA	NDA	N/A	N/A	2
FY 2022/23	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	1,829	1,193	NDA	NDA	NDA	NDA	143	199	N/A
	(Renewal)	26,979	26,979	NDA	NDA	NDA	NDA	N/A	N/A	2

### Consulting Engineer

FY 2018/19	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	3	3	NDA	NDA	NDA	NDA	N/A	N/A	11
FY 2019/20	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	0	0	NDA	NDA	NDA	NDA	N/A	N/A	N/A
FY 2020/21	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	1	1	NDA	NDA	NDA	NDA	N/A	N/A	1
FY 2021/22	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	0	0	NDA	NDA	NDA	NDA	N/A	N/A	N/A
FY 2022/23	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	0	0	NDA	NDA	NDA	NDA	N/A	N/A	N/A

Pending Applications	Cycle Times
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### Control System Engineer

FY 2018/19	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	27	19	NDA	NDA	NDA	NDA	N/A	N/A	47
	(Renewal)	483	483	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2019/20	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	22	15	NDA	NDA	NDA	NDA	N/A	N/A	78
	(Renewal)	349	349	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2020/21	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	28	29	NDA	NDA	NDA	NDA	N/A	N/A	69
	(Renewal)	437	437	NDA	NDA	NDA	NDA	N/A	N/A	4
FY 2021/22	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	27	30	NDA	NDA	NDA	NDA	75	82	N/A
	(Renewal)	360	360	NDA	NDA	NDA	NDA	N/A	N/A	2
FY 2022/23	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	33	30	NDA	NDA	NDA	NDA	48	97	N/A
	(Renewal)	360	360	NDA	NDA	NDA	NDA	N/A	N/A	4

### Corrosion Engineer

FY 2018/19	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	52	52	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2019/20	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	94	94	NDA	NDA	NDA	NDA	N/A	N/A	4
FY 2020/21	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	56	56	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2021/22	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	65	65	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2022/23	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	46	46	NDA	NDA	NDA	NDA	N/A	N/A	3

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### Electrical Engineer

FY 2018/19	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	415	432	NDA	NDA	NDA	NDA	N/A	N/A	141
	(Renewal)	5,034	5,034	NDA	NDA	NDA	NDA	N/A	N/A	2
FY 2019/20	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	409	398	NDA	NDA	NDA	NDA	N/A	N/A	110
	(Renewal)	5,384	5,384	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2020/21	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	407	298	NDA	NDA	NDA	NDA	N/A	N/A	124
	(Renewal)	5,704	5,704	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2021/22	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	607	645	NDA	NDA	NDA	NDA	81	113	N/A
	(Renewal)	5,133	5,133	NDA	NDA	NDA	NDA	N/A	N/A	2
FY 2022/23	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	485	488	NDA	NDA	NDA	NDA	35	105	N/A
	(Renewal)	5,694	5,694	NDA	NDA	NDA	NDA	N/A	N/A	2

### Engineer-in-Training

FY 2018/19	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	3,331	3,461	NDA	NDA	NDA	NDA	N/A	N/A	76
	(Renewal)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
FY 2019/20	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	2,688	2,760	NDA	NDA	NDA	NDA	N/A	N/A	55
	(Renewal)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
FY 2020/21	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	3,173	3,113	NDA	NDA	NDA	NDA	N/A	N/A	22
	(Renewal)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
FY 2021/22	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	2,800	2,830	NDA	NDA	NDA	NDA	11	19	N/A
	(Renewal)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
FY 2022/23	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	2,396	2,401	NDA	NDA	NDA	NDA	10	92	N/A
	(Renewal)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A

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### Fire Protection Engineer

FY 2018/19	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	40	36	NDA	NDA	NDA	NDA	N/A	N/A	109
	(Renewal)	406	406	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2019/20	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	39	32	NDA	NDA	NDA	NDA	N/A	N/A	67
	(Renewal)	424	424	NDA	NDA	NDA	NDA	N/A	N/A	2
FY 2020/21	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	55	57	NDA	NDA	NDA	NDA	N/A	N/A	105
	(Renewal)	470	470	NDA	NDA	NDA	NDA	N/A	N/A	2
FY 2021/22	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	92	88	NDA	NDA	NDA	NDA	68	106	N/A
	(Renewal)	471	471	NDA	NDA	NDA	NDA	N/A	N/A	2
FY 2022/23	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	67	65	NDA	NDA	NDA	NDA	28	67	N/A
	(Renewal)	511	511	NDA	NDA	NDA	NDA	N/A	N/A	2

### Geologist-In-Training

FY 2018/19	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	306	188	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
FY 2019/20	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	283	115	NDA	NDA	NDA	NDA	N/A	N/A	33
	(Renewal)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
FY 2020/21	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	180	159	NDA	NDA	NDA	NDA	N/A	N/A	27
	(Renewal)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
FY 2021/22	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	201	155	NDA	NDA	NDA	NDA	N/A	N/A	58
	(Renewal)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
FY 2022/23	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	234	127	NDA	NDA	NDA	NDA	N/A	N/A	104
	(Renewal)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A

Pending Applications	Cycle Times
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### Geotechnical Engineer

FY 2018/19	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	73	6	NDA	NDA	NDA	NDA	N/A	N/A	117
	(Renewal)	591	591	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2019/20	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	48	30	NDA	NDA	NDA	NDA	N/A	N/A	150
	(Renewal)	732	732	NDA	NDA	NDA	NDA	N/A	N/A	4
FY 2020/21	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	32	220	NDA	NDA	NDA	NDA	N/A	N/A	103
	(Renewal)	622	622	NDA	NDA	NDA	NDA	N/A	N/A	5
FY 2021/22	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	41	24	NDA	NDA	NDA	NDA	N/A	N/A	211
	(Renewal)	603	603	NDA	NDA	NDA	NDA	N/A	N/A	4
FY 2022/23	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	39	21	NDA	NDA	NDA	NDA	N/A	N/A	128
	(Renewal)	42	42	NDA	NDA	NDA	NDA	N/A	N/A	7

### Industrial Engineer

FY 2018/19	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	4	5	NDA	NDA	NDA	NDA	N/A	N/A	47
	(Renewal)	163	163	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2019/20	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	4	5	NDA	NDA	NDA	NDA	N/A	N/A	63
	(Renewal)	98	98	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2020/21	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	6	3	NDA	NDA	NDA	NDA	N/A	N/A	63
	(Renewal)	132	132	NDA	NDA	NDA	NDA	N/A	N/A	4
FY 2021/22	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	10	13	NDA	NDA	NDA	NDA	83	141	N/A
	(Renewal)	116	116	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2022/23	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	10	9	NDA	NDA	NDA	NDA	39	83	N/A
	(Renewal)	106	106	NDA	NDA	NDA	NDA	N/A	N/A	5

Pending Applications	Cycle Times
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### Land Surveyor

FY 2018/19	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	212	62	NDA	NDA	NDA	NDA	N/A	N/A	74
	(Renewal)	2,144	2,144	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2019/20	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	60	40	NDA	NDA	NDA	NDA	N/A	N/A	98
	(Renewal)	1,920	1,920	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2020/21	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	77	59	NDA	NDA	NDA	NDA	N/A	N/A	78
	(Renewal)	1,976	1,976	NDA	NDA	NDA	NDA	N/A	N/A	5
FY 2021/22	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	114	84	NDA	NDA	NDA	NDA	100	104	N/A
	(Renewal)	1,988	1,988	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2022/23	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	120	109	NDA	NDA	NDA	NDA	47	86	N/A
	(Renewal)	1,885	1,885	NDA	NDA	NDA	NDA	N/A	N/A	4

### Land Surveyor-In-Training

FY 2018/19	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	78	81	NDA	NDA	NDA	NDA	N/A	N/A	37
	(Renewal)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
FY 2019/20	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	70	66	NDA	NDA	NDA	NDA	N/A	N/A	31
	(Renewal)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
FY 2020/21	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	122	118	NDA	NDA	NDA	NDA	N/A	N/A	75
	(Renewal)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
FY 2021/22	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	139	130	NDA	NDA	NDA	NDA	10	38	26
	(Renewal)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
FY 2022/23	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	135	136	NDA	NDA	NDA	NDA	11	69	N/A
	(Renewal)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A

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### Manufacturing Engineer

FY 2018/19	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	126	126	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2019/20	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	111	111	NDA	NDA	NDA	NDA	N/A	N/A	17
FY 2020/21	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	130	130	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2021/22	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	58	58	NDA	NDA	NDA	NDA	N/A	N/A	6
FY 2022/23	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	81	81	NDA	NDA	NDA	NDA	N/A	N/A	8

### Mechanical Engineer

FY 2018/19	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	537	519	NDA	NDA	NDA	NDA	N/A	N/A	65
	(Renewal)	6,877	6,877	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2019/20	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	440	469	NDA	NDA	NDA	NDA	N/A	N/A	81
	(Renewal)	8,541	8,541	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2020/21	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	466	407	NDA	NDA	NDA	NDA	N/A	N/A	67
	(Renewal)	7,992	7,992	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2021/22	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	669	674	NDA	NDA	NDA	NDA	78	113	N/A
	(Renewal)	7,539	7,539	NDA	NDA	NDA	NDA	N/A	N/A	2
FY 2022/23	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	563	547	NDA	NDA	NDA	NDA	39	97	N/A
	(Renewal)	7,839	7,839	NDA	NDA	NDA	NDA	N/A	N/A	2

Pending Applications	Cycle Times
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	Application Type	Received	Issued	Closed	Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps	Incomplete Apps	Combined, IF unable to separate out
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### Metallurgical Engineer

FY 2018/19	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	7	5	NDA	NDA	NDA	NDA	N/A	N/A	56
	(Renewal)	79	79	NDA	NDA	NDA	NDA	N/A	N/A	2
FY 2019/20	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	7	6	NDA	NDA	NDA	NDA	N/A	N/A	42
	(Renewal)	105	105	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2020/21	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	10	7	NDA	NDA	NDA	NDA	N/A	N/A	65
	(Renewal)	89	89	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2021/22	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	18	16	NDA	NDA	NDA	NDA	91	93	N/A
	(Renewal)	100	100	NDA	NDA	NDA	NDA	N/A	N/A	2
FY 2022/23	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	16	13	NDA	NDA	NDA	NDA	34	69	N/A
	(Renewal)	93	93	NDA	NDA	NDA	NDA	N/A	N/A	2

### Nuclear Engineer

FY 2018/19	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	1	0	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	75	75	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2019/20	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	7	0	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	193	193	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2020/21	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	1	1	NDA	NDA	NDA	NDA	N/A	N/A	28
	(Renewal)	79	79	NDA	NDA	NDA	NDA	N/A	N/A	4
FY 2021/22	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	1	1	NDA	NDA	NDA	NDA	72	N/A	N/A
	(Renewal)	137	137	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2022/23	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	3	3	NDA	NDA	NDA	NDA	N/A	57	N/A
	(Renewal)	71	71	NDA	NDA	NDA	NDA	N/A	N/A	2



Pending Applications	Cycle Times
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### Petroleum Engineer

FY 2018/19	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	6	5	NDA	NDA	NDA	NDA	N/A	N/A	119
	(Renewal)	139	139	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2019/20	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	0	9	NDA	NDA	NDA	NDA	N/A	N/A	61
	(Renewal)	172	172	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2020/21	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	11	11	NDA	NDA	NDA	NDA	N/A	N/A	70
	(Renewal)	153	153	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2021/22	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	7	6	NDA	NDA	NDA	NDA	N/A	78	N/A
	(Renewal)	143	143	NDA	NDA	NDA	NDA	N/A	N/A	2
FY 2022/23	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	11	8	NDA	NDA	NDA	NDA	31	78	N/A
	(Renewal)	138	138	NDA	NDA	NDA	NDA	N/A	N/A	2

### Photogrammetric Surveyor

FY 2018/19	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	1	1	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2019/20	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	0	0	NDA	NDA	NDA	NDA	N/A	N/A	N/A
FY 2020/21	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
FY 2021/22	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	0	0	NDA	NDA	NDA	NDA	N/A	N/A	N/A
FY 2022/23	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A

Pending Applications	Cycle Times
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	Application Type	Received	Issued	Closed	Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps	Incomplete Apps	Combined, IF unable to separate out
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### Professional Geologist

FY 2018/19	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	329	126	NDA	NDA	NDA	NDA	N/A	N/A	96
	(Renewal)	2,527	2,527	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2019/20	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	134	86	NDA	NDA	NDA	NDA	N/A	N/A	84
	(Renewal)	2,441	2,441	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2020/21	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	151	108	NDA	NDA	NDA	NDA	N/A	N/A	132
	(Renewal)	2,540	2,540	NDA	NDA	NDA	NDA	N/A	N/A	4
FY 2021/22	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	197	134	NDA	NDA	NDA	NDA	N/A	N/A	72
	(Renewal)	2,509	2,509	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2022/23	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	142	119	NDA	NDA	NDA	NDA	N/A	N/A	65
	(Renewal)	2,452	2,452	NDA	NDA	NDA	NDA	N/A	N/A	3

### Professional Geophysicist

FY 2018/19	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	6	1	NDA	NDA	NDA	NDA	N/A	N/A	251
	(Renewal)	91	91	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2019/20	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	6	1	NDA	NDA	NDA	NDA	N/A	N/A	107
	(Renewal)	60	60	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2020/21	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	9	2	NDA	NDA	NDA	NDA	N/A	N/A	203
	(Renewal)	81	81	NDA	NDA	NDA	NDA	N/A	N/A	4
FY 2021/22	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	2	4	NDA	NDA	NDA	NDA	N/A	N/A	57
	(Renewal)	73	73	NDA	NDA	NDA	NDA	N/A	N/A	2
FY 2022/23	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	2	3	NDA	NDA	NDA	NDA	N/A	N/A	203
	(Renewal)	68	68	NDA	NDA	NDA	NDA	N/A	N/A	3

Pending Applications	Cycle Times
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### Quality Engineer

FY 2018/19	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	152	152	NDA	NDA	NDA	NDA	N/A	N/A	4
FY 2019/20	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	99	99	NDA	NDA	NDA	NDA	N/A	N/A	4
FY 2020/21	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	67	67	NDA	NDA	NDA	NDA	N/A	N/A	4
FY 2021/22	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	134	134	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2022/23	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	74	74	NDA	NDA	NDA	NDA	N/A	N/A	6

### Safety Engineer

FY 2018/19	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	1,967	1,967	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2019/20	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	148	148	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2020/21	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	105	105	NDA	NDA	NDA	NDA	N/A	N/A	4
FY 2021/22	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	92	92	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2022/23	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(Renewal)	68	68	NDA	NDA	NDA	NDA	N/A	N/A	5

Pending Applications	Cycle Times
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### Structural Engineer

FY 2018/19	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	205	117	NDA	NDA	NDA	NDA	N/A	N/A	207
	(Renewal)	101	101	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2019/20	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	157	80	NDA	NDA	NDA	NDA	N/A	N/A	170
	(Renewal)	2,292	2,292	NDA	NDA	NDA	NDA	N/A	N/A	4
FY 2020/21	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	178	69	NDA	NDA	NDA	NDA	N/A	N/A	169
	(Renewal)	2,047	2,047	NDA	NDA	NDA	NDA	N/A	N/A	5
FY 2021/22	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	175	169	NDA	NDA	NDA	NDA	N/A	N/A	125
	(Renewal)	2,368	2,368	NDA	NDA	NDA	NDA	N/A	N/A	4
FY 2022/23	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	155	151	NDA	NDA	NDA	NDA	N/A	N/A	127
	(Renewal)	2,025	2,025	NDA	NDA	NDA	NDA	N/A	N/A	4

### Traffic Engineer

FY 2018/19	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	88	39	NDA	NDA	NDA	NDA	N/A	N/A	76
	(Renewal)	686	686	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2019/20	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	54	36	NDA	NDA	NDA	NDA	N/A	N/A	51
	(Renewal)	829	829	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2020/21	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	32	30	NDA	NDA	NDA	NDA	N/A	N/A	113
	(Renewal)	821	821	NDA	NDA	NDA	NDA	N/A	N/A	4
FY 2021/22	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	49	29	NDA	NDA	NDA	NDA	N/A	N/A	253
	(Renewal)	688	688	NDA	NDA	NDA	NDA	N/A	N/A	3
FY 2022/23	(Exam)	N/A	N/A	NDA	NDA	NDA	NDA	N/A	N/A	N/A
	(License)	62	33	NDA	NDA	NDA	NDA	N/A	N/A	114
	(Renewal)	799	799	NDA	NDA	NDA	NDA	N/A	N/A	2

\* Optional. List if tracked by the board.

**Table 7b. License Denial**

	FY 2018/19	FY 2019/20	FY 2020/21	FY 2021/22	FY 2022/23
License Applications Denied (no hearing requested)	0	0	0	0	0
SOIs Filed	3	0	1	2	2
Average Days to File SOI (from request for hearing to SOI filed)	195	N/A	53	59	75
SOIs Declined	N/A	N/A	N/A	N/A	N/A
SOIs Withdrawn	1	N/A	1	0	2
SOIs Dismissed (license granted)	0	N/A	0	0	0
SOIs Granted (license denied)	2	N/A	0	2	0
License Issued with Probation / Probationary License Issued	0	N/A	0	0	0
Average Days to Complete (from SOI filing to outcome)	184	N/A	26	261	93

Beginning July 1, 2015, the Board required all new applicants to furnish to the Department of Justice (DOJ) a full set of fingerprints for conducting a criminal history record check and to undergo a state and federal level criminal offender record information search, conducted through DOJ. This requirement applied only to new licensees; it did not apply to anyone who was licensed before that date unless they were to apply for a new license. The legislation (SB 543, Ch. 448, Stats.2011) that authorized the Board to obtain criminal history information specified that it would apply only to individuals seeking a new license and not to those already licensed (B&P Code §144(c)), even though the Board had sought to be able to obtain criminal history on all licensees as well as applicants.

During the application process from July 1, 2015 through June 30, 2020, the Board would check prior unlawful acts of the applicant. The application form contained a question requiring the applicant to notify the Board of any criminal history and to provide the Board with any related court documents. The question required the applicant to answer under penalty of perjury (acknowledged when they signed the application). The Licensing and Enforcement Units would utilize court records and statements and information from the applicants to complete a thorough review of all issues prior to issuing a license. All information is reviewed to determine if the crimes or acts were substantially related, as defined in the Board's regulations (16 CCR 416 and 3060), to professional practice based on the license type for which the applicant was applying. Additionally, any evidence of rehabilitation submitted by the applicant would be reviewed and considered, as required by the Board's regulations (16 CCR 418 and 3061). Following the review, a determination would be made as to whether the application for licensure should be denied based on the crimes or acts to ensure protection of the public.

With the passage of Assembly Bill (AB) 2138 (Ch. 995, Stats.2018), which became operative on July 1, 2020, the Board was no longer able to require an applicant to self-disclose criminal history and/or unlawful acts during the application process. However, the Board is still able to require applicants to be fingerprinted and to obtain and review their criminal history through DOJ. The Board, through its Licensing and Enforcement Units, must then decide if the crime for which an applicant has been convicted falls within the provisions of the statutes, as well as the regulations that define the substantial relationship criteria. The Board may deny issuing a license if the applicant has committed a crime that is considered substantially related to the qualifications, functions, and duties of the profession in which they seek licensure. As indicated, the substantial relationship criteria is established in the Board's regulations (16 CCR 416 and 3060). In addition to determining if the crime falls within the provisions of the statutes and is substantially related, the Board must consider evidence of rehabilitation supplied by the applicant. The evidence that must be considered is described in the Board's regulations (16 CCR 418 and 3061). The Board can no longer require an applicant to provide evidence of rehabilitation but is allowed to invite the applicant to provide such information if they so

choose. As noted in Section 1 - Background and Description of the Board and Regulated Profession, in 2021, the Board updated these regulations to conform to the statutory changes made by AB 2138.

The Board has not sent “No Longer Interested” notifications to DOJ because the fingerprint/criminal history program only became effective July 1, 2015. Therefore, the individuals who have submitted fingerprints are either still in the process of obtaining licensure or have obtained, and are now maintaining, a license. As such, the Board is still interested in receiving criminal history reports and subsequent arrest reports for them. The Board anticipates sending “No Longer Interested” notifications to DOJ when it is appropriate.

Applicants are required to advise the Board if they have ever had an engineering, land surveying, geologist, or geophysicist related certificate or license denied, disciplined, suspended, surrendered, or revoked in any state. Furthermore, both NCEES and ASBOG offer an enforcement database that can be used by its member boards to communicate disciplinary actions for licensees. Board staff can look up disciplinary actions entered by other member boards. However, the database is not consistently used by all member boards.

Engineering and land surveying applicants may be awarded experience credit for education, up to a maximum of five years, depending on the level of education completed and whether it was in a program approved by the Board. Geology and geophysics applicants must have either a degree in a geology program approved by the Board or have completed coursework as described in the regulations of the Board. Applicants must submit official transcripts for all engineering, surveying, geology, and geophysics degrees or coursework completed in order for the education to be considered and counted by the Board. If the university/college provides electronic transcripts, they must be sent directly from the university/college via email to [BPELSG.Transcripts@dca.ca.gov](mailto:BPELSG.Transcripts@dca.ca.gov), an email address dedicated to receiving these transcripts electronically. If the university/college provides paper transcripts, they must be mailed to the Board in the original, unopened envelope from the university/college. Unofficial (non-certified or unsealed) transcripts are not accepted. Foreign transcripts that are not in English do not need to be sealed or certified, but applicants must submit the original transcripts along with a notarized English translation. Degree evaluations are not accepted.

All court documents submitted must be certified by the court. All applicants (excluding Traffic Engineers, Geotechnical Engineers, Structural Engineers, Certified Engineering Geologists, Certified Hydrogeologists, and Professional Geophysicists) use the Online BPELSG Connect Portal to submit their initial application to the Board. During the application submittal process, the applicant will complete Part A of the Work Experience Engagement/Reference in BPELSG Connect. Contact information for each professional reference is required. After the applicant submits their application in BPELSG Connect, each of the applicant’s professional references is automatically emailed a copy of Part A of the Work Experience Engagement/Reference through the BPELSG Connect system with a link that instructs them to securely complete Part B. Part B must be personally completed by the professional reference, not the applicant. On Part B, the professional reference is asked to confirm their relationship with the applicant, professional supervision, and confirm the applicant’s claimed experience within the engagement/reference. Traffic Engineer, Geotechnical Engineer, Structural Engineer, Certified Engineering Geologist, Certified Hydrogeologist, and Professional Geophysicist applicants submitted paper applications that include a Work Experience Engagement/Reference form that requires the same information from the applicants and references as required in BPELSG Connect. With the paper applications, the references must sign the forms and return them to the applicant in a sealed envelope that is submitted to the Board with the application forms by the applicants.

All out-of-state and out-of-country applicants must meet the same requirements as in-state applicants. All foreign language documents must be accompanied by a notarized English translation. All work

experience claimed by an applicant that was gained out of California must be verified by a reference who is legally authorized to perform the work in the location where the experience was gained.

As required by law, the Board includes on every application for licensure a question asking if the applicant is serving in, or has previously served in, the military. However, applicants are not required to answer this question. Therefore, any statistical data regarding this information would not necessarily be reflective of the actual status of all applicants.

Education and experience gained while serving in the military has always been considered when determining eligibility for licensure, just as education and experience from non-military sources is considered. As long as the education and work experience meet the qualifying requirements of the Board's laws and regulations, it does not matter if they were gained while the applicant was serving in the military. As such, it is unnecessary for the Board to adopt any regulations pursuant to B&P Code § 35. The actual number of applicants claiming military experience on their application is unknown, as this information is not tracked.

The Board tracks and reports license renewals from active-duty military personnel under the provisions of B&P Code §114.3. Licensees are responsible to keep their licenses current. If military service prevents them from doing so, the Board will waive any delinquency fees that may accumulate during their active military service. There has been only a minor, negligible effect on the Board's revenues. This information can be found in the DCA Annual Report each year.

The Board tracks and reports applications from active-duty military spouses/registered domestic partners that meet the requirements for expedited licensure processing under the provisions of B&P Code §115.5. The Board provides information on its website and its application forms regarding who qualifies for the expedited application process and what information must be submitted as proof of qualification. This information can be found in the DCA Annual Report each year.

## **Educational Requirements for Licensure**

Both the Professional Engineers Act and the Professional Land Surveyors' Act allow applicants to qualify through a work experience-only pathway or to apply for equivalent work experience credit by first obtaining a postsecondary degree in either engineering or surveying. The Geologist and Geophysicist Act requires applicants to first obtain a degree with "...a major in geological sciences..." or have completed "a combination of at least 30 semester hours, or the equivalent, in courses that, in the opinion of the board, are relevant to geology" but does not include a pathway to licensure based solely on work experience.

### Engineering and Land Surveying

Nationally, the majority of jurisdictions that license professional engineers or land surveyors require or allow a degree as educational criteria for licensing. There is standardized accreditation by ABET, Inc. ([www.abet.org](http://www.abet.org)) through the Engineering Accreditation Commission (EAC) and the Applied and Natural Science Accreditation Commission (ANSAC) criteria. In an effort to be consistent with the national standards and to accommodate the many applicants who obtain a postsecondary engineering degree, the Board previously standardized on ABET-accredited programs in regulation by allowing for the equivalent of four years' work experience for an engineering or surveying curriculum that results in the award of a baccalaureate degree and an additional one year of equivalent work experience for an engineering or surveying curriculum that results in the award of either a masters or post-doctorate degree. There is a maximum of five years of equivalent work experience credit given for Board-approved education programs, thus requiring applicants to demonstrate a minimum of one year of

actual work experience towards obtaining a license to practice. The Board has also previously established regulations that allow applicants to obtain a maximum of two years of equivalent work experience for a postsecondary degree obtained from a non-approved program (identified as any engineering or surveying program that is not ABET accredited).

### Geology and Geophysics

The Geologist and Geophysicist Act, specifically B&P Code §7841(b), states that an applicant for licensure as a Professional Geologist shall have either graduated "...from a college or university with a major in geological sciences..." or have completed "...a combination of at least 30 semester hours, or the equivalent, in courses that, in the opinion of the board, are relevant to geology." B&P Code §7841.1(b) states that an applicant for licensure as a Professional Geophysicist shall have either graduated "...from a college or university with a major in geophysical science..." or have completed "...a combination of at least 30 semester hours, or the equivalent, in courses that, in the opinion of the board, are relevant to geophysics."

Currently, accreditation standards for geological and geophysical postsecondary programs, both nationally and regionally, remain inconsistent. The aforementioned ABET, Inc., has recently begun an accreditation program for geological sciences, but to date only one program in the country has achieved accreditation (in 2017). It is unknown how long it will be before more geological or geophysical sciences programs are accredited by a nationally-recognized organization such that it becomes a viable vehicle for the Board to consider solely accredited programs for educational criteria.

During the 2014 Sunset review, the Board identified common issues and concerns with the lack of consistent accreditation for geological and geophysical programs, the broad nature of the statutory language in this regard, and the impact these factors had on applicants attempting to fully understand whether their postsecondary education would be considered qualifying or not qualifying. Since that review, the Board obtained the authorization and hired a Senior Registrar who is licensed as a Professional Geologist and embarked upon a study to more fully understand the scope of content for California-based educational institutions offering geological and geophysical sciences programs.

This study involved multiple Board-facilitated workshops around California and resulted in the Board establishing regulations that were intended to be clear, concise, and reasonable in terms of an expectation of educational criteria that would be considering qualifying towards licensure. This study resulted in a rulemaking effort related to educational requirements for certification or licensure, which became effective October 1, 2019.

While the regulatory changes have been helpful to applicants and Board reviewers, it appears that there are still issues with the educational requirements that prevent otherwise qualified individuals from obtaining licensure.

For example, one of the requirements is that applicants complete a specified number of semester or quarter hours in field course work. However, during the pandemic, most field courses were cancelled by the universities or were converted to online lecture-type courses, which do not meet the requirements of the Board's regulations for a field course. Based on anecdotal information from inquiries the Board has received, this is preventing people from obtaining licensure. In addition, with changes in the educational requirements over time, individuals who may have completed their course work many years ago but are just now applying for licensure may no longer qualify. Please refer to the Board's third new issue under Section 11 – New Issues for more information on this effort.



## Examinations

### Examinations Required for Licensure

The Board utilizes both national and state-developed exams as a part of the criteria to measure competency for licensure. For national engineering and land surveying exams, the National Council of Examiners for Engineering and Surveying (NCEES) develops, administers, and scores the examinations; for national geology exams, the National Association of State Board of Geology (ASBOG) develops and scores the examinations. All state-specific exams are developed and scored through a collaborative effort between Board staff, subject matter experts, and Prometric, our psychometric exam vendor.

### National Examinations

NCEES develops and scores all engineering and land surveying examinations. NCEES administers its engineering and surveying exams through Computer Based Testing (CBT). Beginning in 2011, NCEES began the transition of its examinations from a paper-based administration to a computer-based administration. The Fundamentals of Engineering (FE) and Fundamentals of Surveying (FS) were the first examinations to be offered on a continuous, year-round basis in 2014; the CBT transition then continued as NCEES examinations became available for the transition. The final national examination to transition to CBT is the PE Structural Engineer examination, formerly known as the 16-hour Structural Engineering exam, scheduled to begin in spring 2024.

<b>CBT First Offered</b>	<b>National Examination</b>
2014	Fundamentals of Engineering (FE) Fundamentals of Surveying (FS)
2016	Principles and Practice of Surveying (PS)
2018	PE Chemical PE Nuclear
2019	PE Petroleum PE Environmental *
2020	PE Fire Protection PE Industrial and Systems PE Mechanical PE Electrical and Computer - Power
2021	PE Electrical and Computer – Electronics, Controls, and Communications PE Agricultural and Biological PE Mining and Mineral Processing
2022	PE Civil

CBT First Offered	National Examination
	PE Naval Architecture and Marine * PE Control Systems PE Metallurgical and Materials
2024	PE Structural (Formally known as 16-hour Structural Engineering)

\* - Denotes national examinations not offered in California

ASBOG develops and scores the national geologist exams, Fundamentals of Geology (FG) and Practice of Geology (PG). ASBOG administers its examination through Computer Based Testing. ASBOG's transition to CBT became effective in March 2023, after several years of working with their member boards and exam vendor partners. The Board's Geologist Registrar was instrumental in assisting ASBOG in the CBT process. The Board no longer administers the paper and pencil exams for ASBOG, saving the Board significant resources in staff personnel and contracted proctors to staff and administer the examinations.

All national examinations are administered in English.

#### State Specific Examinations

All of the Board's state exams are administered via Computer Based Testing. This is accomplished through a collaborative effort with Prometric, our psychometric exam vendor. The Board provides the vendor with lists of eligible candidates via the Board's Connect system, which are then uploaded onto the vendor's system. This enables the exam candidates to schedule their examinations through the vendor's website to take the exam at the vendor's test centers, which are located throughout the United States, including California. All state examinations are administered in English.

In addition to all state exams being administered via CBT, the Board's two state-specific Civil Engineer exams (Seismic Principles and Engineering Surveying) are available to candidates on a year-round basis. Approved candidates are able to take each exam once per quarter, up to four times per year. The continuous-testing format allows eligible candidates the opportunity to schedule their examinations as they become eligible throughout the year. This also provides an opportunity to become licensed as they become qualified on a year-round basis. Another benefit of this format is that there is no longer a final filing date to submit an application for this license. Candidates can apply year-round and, once approved, can schedule their exams on any available date within their qualified quarter. Unsuccessful examinees can reapply for the examination for their next qualified quarter.

The Board does not track pass rates for first-time exam candidates vs. Repeat Takers. All examinations utilized by the Board, both national and state exams, are administered and scored in English.

Testing industry psychometricians recommend that an Occupational Analysis (OA) be conducted on occupational certification and licensing examinations every five to seven years. The purpose of the OA is to identify and capture any advancements or changes to the regulated practice so as to ensure that the examinations accurately reflect both the actual practice and the statutory definition of the practice.

The most recent OAs conducted by the Board for its examinations are noted in the charts below. The Board, working with its psychometric vendor, performs the OAs for the state examinations. The national organizations, NCEES and ASBOG, conduct psychometrically-verified OAs for the national examinations. The Board recently began the process of conducting new OAs for its programs that will continue until all programs have completed the process. The Civil Engineer state exams, Seismic Principles and Engineering Surveying, completed their most recent OAs in 2022, and the new Test Plan for those two exams will become effective January 1, 2024. It is anticipated that all program OAs will be completed by 2025. Both NCEES and ASBOG also regularly conduct OAs on their national examinations every five to seven years.

The Board does not use the OAs to validate the requirement of having state-specific exams. State-specific exams are mandated by statute, either as a supplement to the national exams or because there is no national exam. As a result, the OAs are used to determine what topics need to be covered on the state-specific exams that are not covered on the national exams or to determine the specific areas that need to be tested for the exams that do not have a national component.

The Board regularly maintains and reports full compliance on an annual basis with its B&P Code §139 responsibilities related to ensuring that all the OAs, test plan specifications, and resulting national and state examinations used are monitored to reflect any changes to regulated industry practice.

Table 8. Examination Data				
California Examinations:				
License Type		Professional Geologist	Professional Geophysicist	Geotechnical Engineer
Exam Title		California Specific (CSE)	Professional Geophysicist (PGp)	Geotechnical Engineer (GE)
FY 2018/19	Number of Candidates	253	4	35
	Overall Pass %	49	25	20
	Overall Fail %	51	75	80
FY 2019/20	Number of Candidates	289	3	78
	Overall Pass %	41	33	38
	Overall Fail %	59	67	62
FY 2020/21	Number of Candidates	185	5	60
	Overall Pass %	47	40	35
	Overall Fail %	53	60	65
FY 2021/22	Number of Candidates	261	9	74
	Overall Pass %	45	44	35
	Overall Fail %	55	56	65
FY 2022/23	Number of Candidates	145	3	81
	Overall Pass %	46	100	27
	Overall Fail %	54	0	73
	Date of Last OA	2019	2019	2018
	Name of OA Developer	Board	Board	Board
	Target OA Date	2024	2025	2024

<b>Table 8. Examination Data</b>				
<b>California Examinations:</b>				
License Type		Civil Engineer	Civil Engineer	Land Surveyor
Exam Title		Engineering Surveying (CES)	Seismic Principles (CSP)	Land Surveyor State Exam (LS)
FY 2018/19	Number of Candidates	2728	2709	205
	Overall Pass %	46	47	32
	Overall Fail %	54	53	68
FY 2019/20	Number of Candidates	1929	1852	81
	Overall Pass %	48	49	41
	Overall Fail %	52	51	59
FY 2020/21	Number of Candidates	2767	2607	201
	Overall Pass %	52	57	34
	Overall Fail %	48	43	66
FY 2021/22	Number of Candidates	2223	2191	195
	Overall Pass %	50	49	38
	Overall Fail %	50	51	62
FY 2022/23	Number of Candidates	1091	1169	292
	Overall Pass %	53	51	37
	Overall Fail %	47	49	63
	Date of Last OA	2018	2018	2018
	Name of OA Developer	Board	Board	Board
	Target OA Date	2024	2024	2024

Table 8. Examination Data				
California Examinations:				
License Type		Traffic Engineer	Certified Engineering Geologist	Certified Hydrogeologist
Exam Title		Traffic Engineer (TE)	Certified Engineering Geologist (CEG)	Certified Hydrogeologist (CHG)
FY 2018/19	Number of Candidates	77	45	33
	Overall Pass %	51	53	67
	Overall Fail %	49	47	33
FY 2019/20	Number of Candidates	69	40	18
	Overall Pass %	52	73	61
	Overall Fail %	48	27	39
FY 2020/21	Number of Candidates	49	17	14
	Overall Pass %	63	65	64
	Overall Fail %	37	35	36
FY 2021/22	Number of Candidates	60	39	18
	Overall Pass %	47	51	56
	Overall Fail %	53	49	44
FY 2022/23	Number of Candidates	71	31	24
	Overall Pass %	46	42	42
	Overall Fail %	54	58	58
	Date of Last OA	2017	2019	2019
	Name of OA Developer	Board	Board	Board
	Target OA Date	2024	2024	2024

Table 8. Examination Data				
National Examinations:				
License Type		Agricultural Engineer	Chemical Engineer	Civil Engineer
Exam Title		Agricultural and Biological Engineering Principles and Practice of Engineering (AG)	Chemical Principles and Practice of Engineering (CH)	Civil Principles and Practice of Engineering (CE)
FY 2018/190	Number of Candidates	2	60	4602
	Overall Pass %	0	73	45
	Overall Fail %	100	27	55
FY 2019/20	Number of Candidates	0	67	2264
	Overall Pass %	0	58	49
	Overall Fail %	0	42	51
FY 2020/21	Number of Candidates	2	85	4379
	Overall Pass %	100	52	51
	Overall Fail %	0	48	49
FY 2021/22	Number of Candidates	4	51	3399
	Overall Pass %	100	59	50
	Overall Fail %	0	41	50
FY 2022/23	Number of Candidates	1	75	2431
	Overall Pass %	100	51	49
	Overall Fail %	0	49	51
	Date of Last OA	2023	2020	2022
	Name of OA Developer	NCEES	NCEES	NCEES
	Target OA Date	2028	2025	2027

Table 8. Examination Data				
National Examinations:				
License Type		Control Systems Engineer	Electrical Engineer	Fire Protection Engineer
Exam Title		Control Systems Principles and Practice of Engineering (CS)	Electrical Engineer and Computer Principles and Practice of Engineering (EE)	Fire Protection Principles and Practice of Engineering (FP)
FY 2018/19	Number of Candidates	41	889	58
	Overall Pass %	56	40	59
	Overall Fail %	44	60	41
FY 2019/20	Number of Candidates	30	535	45
	Overall Pass %	43	36	54
	Overall Fail %	57	64	46
FY 2020/21	Number of Candidates	30	408	55
	Overall Pass %	47	55	96
	Overall Fail %	53	45	4
FY 2021/22	Number of Candidates	37	569	46
	Overall Pass %	38	48	89
	Overall Fail %	62	52	11
FY 2022/23	Number of Candidates	45	490	51
	Overall Pass %	49	41	73
	Overall Fail %	51	59	27
	Date of Last OA	2022	2020	2022
	Name of OA Developer	NCEES	NCEES	NCEES
	Target OA Date	2027	2025	2027



Table 8. Examination Data				
National Examinations:				
License Type		Industrial Engineer	Land Surveyor	Mechanical Engineer
Exam Title		Industrial and Systems Principles and Practice of Engineering (IE)	Principles and Practice of Land Surveying (PLS)	Principles and Practice of Mechanical Engineer (ME)
FY 2018/19	Number of Candidates	7	160	542
	Overall Pass %	100	54	58
	Overall Fail %	0	46	42
FY 2019/20	Number of Candidates	0	126	587
	Overall Pass %	0	56	53
	Overall Fail %	0	44	47
FY 2020/21	Number of Candidates	18	138	585
	Overall Pass %	67	49	63
	Overall Fail %	33	51	37
FY 2021/22	Number of Candidates	15	187	480
	Overall Pass %	60	50	59
	Overall Fail %	40	50	41
FY 2022/23	Number of Candidates	10	239	421
	Overall Pass %	50	47	61
	Overall Fail %	50	53	39
	Date of Last OA	2020	2019	2020
	Name of OA Developer	NCEES	NCEES	NCEES
	Target OA Date	2025	2024	2025

Table 8. Examination Data				
National Examinations:				
License Type		Metallurgical Engineer	Nuclear Engineer	Petroleum Engineer
Exam Title		Metallurgical and Materials Principles and Practice (MT)	Nuclear Principles and Practice (NU)	Petroleum Principles and Practice (PE)
FY 2018/19	Number of Candidates	12	1	11
	Overall Pass %	83	0	36
	Overall Fail %	17	100	64
FY 2019/20	Number of Candidates	100	1	8
	Overall Pass %	31	0	100
	Overall Fail %	69	100	0
FY 2020/21	Number of Candidates	12	1	18
	Overall Pass %	58	0	33
	Overall Fail %	42	100	67
FY 2021/22	Number of Candidates	16	3	16
	Overall Pass %	75	100	13
	Overall Fail %	25	0	87
FY 2022/23	Number of Candidates	12	2	12
	Overall Pass %	75	100	42
	Overall Fail %	25	0	58
	Date of Last OA	2022	2022	2023
	Name of OA Developer	NCEES	NCEES	NCEES
	Target OA Date	2027	2027	2028

**Table 8. Examination Data****National Examinations:**

License Type		Structural Engineer	Structural Engineer	Professional Geologist
Exam Title		Structural Principles and Practice of Engineering – Lateral Forces (SE)	Structural Principles and Practice of Engineering – Vertical Forces (SE)	Practice of Geology (PG)
FY 2018/19	Number of Candidates	244	248	185
	Overall Pass %	39	35	72
	Overall Fail %	61	65	28
FY 2019/20	Number of Candidates	100	116	89
	Overall Pass %	31	34	70
	Overall Fail %	69	66	78
FY 2020/21	Number of Candidates	190	163	170
	Overall Pass %	38	47	84
	Overall Fail %	62	53	16
FY 2021/22	Number of Candidates	210	217	181
	Overall Pass %	32	36	82
	Overall Fail %	68	64	18
FY 2022/23	Number of Candidates	225	212	156
	Overall Pass %	39	40	76
	Overall Fail %	61	60	24
	Date of Last OA	2018	2018	2015
	Name of OA Developer	NCEES	NCEES	ASBOG
	Target OA Date	2023	2023	2023

Table 8. Examination Data				
National Examinations:				
License Type		Professional Geologist	Engineer in Training	Land Surveyor in Training
Exam Title		Fundamentals of Geology (FG)	Fundamentals of Engineering (FE)	Fundamentals of Land Surveying (FS)
FY 2018/19	Number of Candidates	369	7264	277
	Overall Pass %	70	55	32
	Overall Fail %	30	45	68
FY 2019/20	Number of Candidates	209	5878	221
	Overall Pass %	65	54	30
	Overall Fail %	35	46	70
FY 2020/21	Number of Candidates	306	5881	280
	Overall Pass %	71	54	45
	Overall Fail %	29	46	55
FY 2021/22	Number of Candidates	252	5638	338
	Overall Pass %	73	50	40
	Overall Fail %	27	50	60
FY 2022/23	Number of Candidates	258	5317	375
	Overall Pass %	56	48	37
	Overall Fail %	44	52	63
	Date of Last OA	2015	2020	2020
	Name of OA Developer	ASBOG	NCEES	NCEES
	Target OA Date	2023	2025	2025

### School Approvals & Continuing Education/Competency Requirements

The approval of schools is not within the scope of the Board's licensing authority. Additionally, the Board's laws and regulations currently do not require its licensees to complete continuing education and/or competency programs.

# ENFORCEMENT PROGRAM

## SECTION 4



## Section 4 – Enforcement Program

The Enforcement Unit of the Board is composed of one program manager, eight full-time analysts, one part-time Retired Annuitant analyst, and one full-time clerical. In addition, there are four Senior Registrars (two engineers, one land surveyor, and one geologist) whose duties include providing assistance to the Enforcement Unit with its various responsibilities. The Enforcement Unit is primarily responsible for the investigation of complaints related to professional engineering, land surveying, geology, and geophysics.

Complaints are investigated against both licensed and unlicensed individuals and are typically submitted by consumers, other licensees, and public agencies. Complaints range from unlicensed practice of professional services to failure by licensees to meet the standard of care. The Board does not operate within a statute of limitations; therefore, complaints regarding projects that occurred many years ago can be investigated. With the professions regulated by the Board, it can often be years before issues with the work come to light. For example, a land surveyor may perform a survey and fail to comply with the laws by not filing the appropriate maps with the proper jurisdiction, but this failure is not discovered until many years later when a neighboring property owner has a survey done. As such, it would not serve to protect the public if the Board were required to operate under a statute of limitations.

Since the Board does not have a statute of limitations for investigating complaints, cases are typically investigated on a first-in basis, with the exception of cases that involve allegations that may present potential imminent threats to public safety.

Complaints investigated by the Enforcement Unit are often complex due to the technical nature of the engineering, land surveying, geology, and geophysics professions. The majority of cases against licensees involve allegations of negligence and/or incompetence in their professional practice. The Enforcement Unit must take reasonable efforts to obtain evidence from all of the parties involved and then retain the services of an independent Technical Expert Consultant to review all of the evidence and opine as to whether or not the subject failed to perform his or her services in accordance with the standards of the practices or has violated other laws in his or her professional practice. The Enforcement Unit maintains a pool of licensees, who are independently employed in their own private practices, to serve as experts. The most appropriate expert is selected to review a case based on the nature of the work involved as well as the location of the project as they relate to the expert's areas of expertise.

The Enforcement Unit also utilizes DCA's Division of Investigation (DOI) as a resource to assist in collecting evidence for its investigations, particularly those involving allegations of unlicensed practice or when there is a lack of response from parties involved. DOI also assists the Board with prosecutorial actions against unlicensed practitioners in cases where violations of the Board's laws are classified as criminal violations. In addition, there are related Penal Code violations tied to unlicensed activity that are considered felony

violations. In these cases, DOI will assist the Board by referring the cases to local District Attorneys' Offices for consideration of the filing of criminal charges.

As a result of its investigations, the Board may issue administrative citations to both licensed and unlicensed individuals. The citations may contain an order of abatement, an order to pay an administrative fine to the Board in the maximum amount of \$5,000 per violation, or both. Although unlicensed activity may be charged as a criminal misdemeanor by a District Attorney, most District Attorneys are unwilling to expend their limited resources on crimes that they view as minor and can be handled administratively. By issuing a citation, the Board can put the unlicensed individual on notice regarding their actions that constitute a violation of the laws, as well as provide public notice to consumers and other individuals. Citations are also issued to licensees who have violated the laws but are not deemed to be a threat to the health and safety of the general public. The issuance of a citation gives the Board the authority to enforce compliance from the licensee, since the failure to comply with a citation order can lead to further – and more serious – disciplinary action against the licensee. The Board's issuance of the citation serves as a reminder to the licensee and other licensees that he or she must follow the laws and regulations that govern licensure and that there are professional and monetary consequences if those laws are ignored or violated.

Another outcome of the Board's investigations, particularly in cases where the investigation reveals that licensees have failed to meet the standard of care or have demonstrated incompetence in the professional practice, is to seek formal disciplinary action, which includes referring cases to the Office of the Attorney General to serve as the Board's attorneys in the prosecution of these matters. Disciplinary action sought against a licensee is conducted under procedures prescribed by the Administrative Procedures Act, which includes the filing of an Accusation outlining the alleged violations and describing what action the Board is seeking, such as the suspension or revocation of a license. Accusations can be settled through a stipulated settlement process or the matter can be heard before an Administrative Law Judge, who then issues a proposed decision for the Board's consideration.

For the purposes of resolving disciplinary cases without the additional expense and uncertainty of further proceedings for both the respondent and the Board, the parties often enter into stipulated agreements. Stipulated settlements often result in stayed revocations with probationary terms and conditions that can include requirements to take college and ethics courses, take and pass an examination on the Board's laws and regulations, notify clients of the disciplinary action, and pay the Board's costs for investigation and prosecution of the matter. The Board is precluded from settling cases "pre-accusation," pursuant to Government Code § 11415.60(b). [See Table 9a for statistics regarding Disciplinary Action results.]

In addition to the investigation of complaints, the Enforcement Unit responds to all inquiries (telephone, email, and letter) related to the complaint process; the status of licenses, including previous complaint or disciplinary history; and the laws and regulations related to the practices of professional engineering, land surveying, geology, and



geophysics. The Enforcement Unit staff is responsible for responding to inquiries submitted by sources such as consumers/clients, licensees, professional associations, and public agencies, or forwarding them to the Board's Senior Registrars or assigned DCA legal counsel, particularly if inquiries are specific to technical areas of professional practice or interpretation of the Board's laws.

Furthermore, the Enforcement Unit is responsible for implementing all enforcement-related legislation, and for coordinating all enforcement-related regulatory proposals. The Reporting of Legal Actions Program (B&P Code §§ 6770, et seq., and 8776, et seq.), which became operative in 2008, requires all professional engineers and land surveyors, insurance companies, and courts to report criminal convictions and civil action judgments, settlements, and arbitration awards. Settlements are required to be reported if the dollar amount exceeds \$50,000. Judgments are required to be reported for amounts \$25,000 or greater. Reported settlement amounts have averaged approximately \$663,000 over the last three fiscal years. Initially, there were difficulties in receiving the appropriate documentation from these sources or determining the appropriate licensee(s) involved, which severely affected the efficiency of investigating those cases. However, the Enforcement Unit has been able to work through these difficulties to more efficiently process cases. While reporting by licensees and insurance companies has greatly improved since implementation of the program, the Board does not receive reports from courts related to convictions and judgments.

**Table 9a. Enforcement Statistics**

	FY 2018/19	FY 2019/20	FY 2020/21	FY 2021/22	FY 2022/23
<b>COMPLAINTS</b>					
Intake					
Received	369	377	405	435	507
Closed without Referral for Investigation	62	52	50	84	149
Referred to INV	314	330	352	344	361
Pending (close of FY)	8	6	3	11	7
Conviction / Arrest					
CONV Received	3	1	1	1	2
CONV Closed Without Referral for Investigation	0	0	0	0	0
CONV Referred to INV	3	1	1	1	2
CONV Pending (close of FY)	0	0	0	1	0
Source of Complaint <sup>1</sup>					
Public	128	129	139	166	201
Licensee/Professional Groups	80	57	85	43	51
Governmental Agencies	11	6	17	37	31
Internal	93	105	89	75	68
Other	1	0	0	0	0
Anonymous	2	26	8	28	36

	FY 2018/19	FY 2019/20	FY 2020/21	FY 2021/22	FY 2022/23
<b>COMPLAINTS (continued)</b>					
Average Time to Refer for Investigation (from receipt of complaint / conviction to referral for investigation)	10	11	5	4	7
Average Time to Closure (from receipt of complaint / conviction to closure at intake)	4	12	3	2	3
Average Time at Intake (from receipt of complaint / conviction to closure or referral for investigation)	8	10	4	4	6
<b>INVESTIGATIONS</b>					
Desk Investigations					
Opened	328	331	363	364	363
Closed	301	335	315	375	304
Average days to close (from assignment to investigation closure)	236	277	274	279	285
Pending (close of FY)	247	239	285	271	352
Non-Sworn Investigation	<b>NOT APPLICABLE TO THIS BOARD</b>				
Sworn Investigation	<b>NOT APPLICABLE TO THIS BOARD</b>				
All investigations <sup>2</sup>	<b>NOTE: SAME AS DESK INVESTIGATIONS</b>				
Opened	328	331	363	364	363
Closed	301	335	315	375	304
Average days for all investigation outcomes (from start of investigation to investigation closure or referral for prosecution) <sup>3</sup>	236	277	274	279	285
Average days for investigation closures (from start of investigation to investigation closure) <sup>3</sup>	236	277	274	279	285
Average days for investigation when referring for prosecution (from start of investigation to referral for prosecution) <sup>3</sup>	236	277	274	279	285
Average days from receipt of complaint to investigation closure <sup>A</sup>	246	288	279	283	292
Pending (close of FY)	247	239	285	271	352
<b>CITATION AND FINE</b>					
Citations Issued	76	79	95	84	78
Average Days to Complete (from complaint receipt / inspection conducted to citation issued)	236	505	533	475	456
Amount of Fines Assessed	\$94,500	\$140,350	\$143,500	\$155,900	\$105,250
Amount of Fines Reduced, Withdrawn, Dismissed	\$3,500	\$0	\$0	\$0	0
Amount Collected	\$48,000	\$84,467	\$108,625	\$129,965	\$73,210
<b>CRIMINAL ACTION</b>					
Referred for Criminal Prosecution	6	8	2	1	3

	FY 2018/19	FY 2019/20	FY 2020/21	FY 2021/22	FY 2022/23
<b>ACCUSATIONS</b>					
Accusations Filed	39	35	38	19	35
Accusations Declined	0	0	0	0	0
Accusations Withdrawn	2	2	0	3	2
Accusations Dismissed	0	1	1	0	1
Average Days from Referral to Accusations Filed (from AG referral to Accusation filed)	177	92	97	87	159
<b>INTERIM ACTIONS</b>					
ISO & TRO Issued	0	0	0	0	0
PC 23 Orders Issued	1	0	0	0	0
Other Suspension/Restriction Orders Issued	0	0	0	0	0
Referred for Diversion	N/A	N/A	N/A	N/A	N/A
Petition to Compel Examination Ordered	N/A	N/A	N/A	N/A	N/A
<b>DISCIPLINE</b>					
AG Cases Initiated (cases referred to the AG in that year)	34	38	30	35	37
AG Cases Pending Pre-Accusation (close of FY)	11	3	13	15	7
AG Cases Pending Post-Accusation (close of FY)	43	29	33	17	36
<b>DISCIPLINARY OUTCOMES (does not include subsequent discipline; see below)</b>					
Revocation	4	4	5	3	2
Surrender	2	2	1	1	1
Suspension only	0	0	0	0	0
Probation with Suspension	0	0	0	1	0
Probation only	11	12	10	5	4
Public Reprimand / Public Reproval / Public Letter of Reprimand	6	7	7	2	2
Other	0	0	0	1	0
<b>DISCIPLINARY ACTIONS (includes Accusations and Subsequent Discipline)</b>					
Proposed Decision	4	3	4	4	2
Default Decision	4	3	4	3	3
Stipulations	17	27	27	14	7
Average Days to Complete After Accusation (from Accusation filed to imposing formal discipline)	316	328	295	339	272
Average Days from Closure of Investigation to Imposing Formal Discipline	550	490	358	450	360
Average Days to Impose Discipline (from complaint receipt to imposing formal discipline)	935	737	541	743	611

	FY 2018/19	FY 2019/20	FY 2020/21	FY 2021/22	FY 2022/23
Probations Completed	9	10	11	7	5
Probationers Pending (close of FY)	43	40	37	30	21
Probationers Told	1	1	1	1	1
Petitions to Revoke Probation / Accusation and Petition to Revoke Probation Filed	8	8	16	5	5
Probations Revoked	1	2	4	5	2
Probationers License Surrendered	0	2	5	2	0
Additional Probation Only	1	4	3	1	1
Suspension Only Added	0	0	0	0	0
Other Conditions Added Only	0	0	0	0	0
Other Probation Outcome	1	0	0	0	0

#### **SUBSTANCE ABUSING LICENSEES**

##### **PETITIONS**

Petition for Termination or Modification Granted	1	0	0	2	0
Petition for Termination or Modification Denied	0	0	0	1	0
Petition for Reinstatement Granted	1	0	1	0	0
Petition for Reinstatement Denied	0	0	1	1	1

##### **DIVERSION**

**NOT APPLICABLE TO THIS BOARD**

<sup>1</sup> Source of complaint refers to complaints and convictions received. The summation of intake and convictions should match the total of source of complaint.

<sup>2</sup> The summation of desk, non-sworn, and sworn investigations should match the total of all investigations.

<sup>3</sup> The length of time for the investigation is the same whether the case is closed or referred for prosecution.

**Table 10. Enforcement Aging**

	FY 2018/19	FY 2019/20	FY 2020/21	FY 2021/22	FY 2022/23	Cases Closed	Average %
<b>Investigations (Average %)</b>							
Closed Within:							
90 Days	56 (18.6%)	29 (8.7%)	54 (17.1%)	53 (14.1%)	54 (17.8%)	246	15.1%
91 - 180 Days	56 (18.6%)	64 (19.1%)	61 (19.4%)	64 (17.1%)	75 (24.7%)	320	19.6%
181 - 1 Year	125 (41.5%)	142 (42.4%)	107 (34.0%)	154 (41.1%)	71 (23.4%)	599	36.7%
1 - 2 Years	63 (20.9%)	98 (29.3%)	88 (27.9%)	96 (25.6%)	100 (32.9%)	445	27.3%
2 - 3 Years	1 (0.3%)	1 (0.3%)	5 (1.6%)	7 (1.9%)	4 (1.4%)	18	1.1%
Over 3 Years	0 (0.0%)	1 (0.3%)	0 (0.0%)	1 (0.3%)	0 (0.0%)	2	.001%
Total Investigation Cases Closed	301	335	315	375	304	1,630	
<b>Attorney General Cases (Average %)</b>							
Closed Within:							
0 - 1 Year	7 (23.3%)	7 (19.4%)	10 (33.3%)	4 (17.4%)	3 (21.4%)	31	23.3%
1 - 2 Years	7 (23.3%)	12 (33.3%)	13 (43.4%)	8 (34.8%)	6 (42.9%)	46	34.6%
2 - 3 Years	3 (10%)	12 (33.3%)	6 (20.0%)	8 (34.8%)	3 (21.4%)	32	24.1%
3 - 4 Years	4 (13.4%)	4 (11.2%)	1 (3.3%)	1 (4.3%)	2 (14.3%)	12	9.0%
Over 4 Years	9 (30%)	1 (2.8%)	0 (0.0%)	2 (8.7%)	0 (0.0%)	12	9.0%
Total Attorney General Cases Closed	30	36	30	23	14	133	

As set by the Board in its 2015-2018 Strategic Plan, the current target for staff-level completion of complaint investigations is an average of 180 days, with the overall goal of no cases reaching one year old during the investigative phase. Since the last Sunset Report, the average days to close investigation cases have increased from approximately eight months to nine months. [See statistics for Average Days for Investigation Closures in Table 9a.]

Contributing factors affecting increases in investigative timeframes include increases in the number complaints received; difficulties recruiting independent Technical Expert Consultants in certain areas of expertise; adapting to the implementation of BPELSG Connect, the Board's online licensing and complaint system; and adapting to major changes to the Board's file management processes, due largely in part to the transition to primarily electronic files and communication during and after the COVID-19 pandemic shutdown.

The implementation of BPELSG Connect for the submittal of complaints and the processing of enforcement investigation cases, beginning in September 2020, has resulted in a number of both successes and challenges. The Complaint Portal, completed online, replaces the traditional mail-in complaint form with physical supporting documents. Complainants can input all relevant information related to a complaint and upload documents to support their allegations.

The online submission of complaints provides an easier and cost-free means to submit complaint information. This process eliminates the cost of reproduction of documents and mailing of complaint packages. In addition, complainants can opt to submit complaints anonymously, which was not always understood as an available option with mail-in complaints. The accessibility and ease of use has resulted in a substantial increase of complaint submissions.

However, the ease of use of the Complaint Portal presents a number of challenges that have resulted in a noticeable increase in the length of time needed to review the complaints, especially upon intake. The number of cases received has increased significantly. Furthermore, trends in completing the complaint input process by the complainant range from simple mistakes made by hurrying through typing into the input fields, input of less comprehensive narrative needed to fully explain their allegations, a lack of documentation submitted to support their allegations, submittal of complaints that are not within the Board's authority to investigate, and the upload of illegible or incomplete documents. When complainants fail to provide sufficient evidence to support their allegations upon the filing of the complaint, the amount of work the Enforcement Unit staff must do to obtain the information increases the time it takes to process the case through intake and to investigate the matter. When submitted anonymously, the lack of complete information and documentation can severely hamper the Board's ability to investigate a complaint.

The "back office" portion of the Complaint Portal was implemented in February 2022, providing an online platform for Enforcement Unit staff to review complaint narratives and documents, input statistical information and complaint milestones, and upload electronic documents, as a means to both manage the complaint file online and gather statistical data. Improvements to BPELSG Connect are ongoing to efficiently evaluate workload by Enforcement Unit staff, which was laborious or not readily discernible when managing paper files.

The Board has also been working on improving the review of cases by independent Technical Expert Consultants. Independent Technical Expert Consultants are licensees with whom the Board contracts to provide a review of the technical issues involved in the complaint investigation cases. These professionals provide an opinion related to the standard of care in the professional practice or other laws related to the practices of professional engineering, land surveying, geology, and geophysics and whether or not the subject of the investigation complied with the laws and standards. The experts are usually employed full-time in their own practice; as such, this often causes some reviews to extend beyond the normally requested 30 days. Furthermore, choosing experts based on their knowledge of particular areas of expertise or geographic areas can be a challenge based on the choice of experts populating the current list of experts.

The Board has been actively working to improve the expert selection process and training to enhance the quality of expert services and expand the selection of experts based on their areas of expertise. Notification of the need for more experts has been sent to the Board's email subscribers posted on the Board's web site, publications for training have

been updated, and in-person training sessions were held in 2018 by Board Staff and a Deputy Attorney General with existing experts at locations in Northern and Southern California. As a more significant number of new experts accrue, additional training sessions will be scheduled. In the meantime, experts are provided materials to inform them of the role and expectations of the expert, as well as procedures for serving as an expert.

The Board is currently developing an online renewal assessment as set forth by B&P Code §§ 6795.2, 8801.5, and 7881.5, which became effective on January 1, 2017. This requirement was enacted because of a goal previously identified as a means to educate licensees about changes to the Board's laws and reducing complaints submitted simply because of their lack of knowledge of such changes. This assessment will include review of the laws most commonly violated which are not specifically practice-related. For instance, for many years after written contracts became required for licensees in 2001, numerous complaints were received alleging that a written contract was not executed; in other cases, it became apparent during the Board's investigation that compliance with the written contract statute was not fulfilled. The response from many licensees was that they were unaware of the new law, even though the Board had publicized it several times in its newsletter, on its website, and many times through in-person outreach opportunities. A review of records from this past fiscal year indicates that almost 40% of our active investigations involve some aspect of non-compliance with laws that have become effective within the last 10 to 20 years. The Board is currently working to develop the content of the assessment. However, since the laws mandate that the assessment must be conducted online, rather than through outreach opportunities, the Board intends to implement this online assessment in BPELSG Connect in 2024 as part of the license renewal process, subject to the availability of suitable development resources.

Despite the Enforcement Unit's aggressive efforts to reduce processing times for its complaint investigations, the Board is heavily impacted by DOI's delays in processing cases. Over the last four fiscal years, 52% of the completed cases that were referred to DOI took more than a year to process. Because DOI also investigates cases on behalf of other boards and bureaus within DCA, it must set priorities for its investigations. Those cases that present evidence of an immediate threat to the public health, safety, and welfare receive the highest priority. Since there is rarely the same level of "immediate threat" relating to the practices of professional engineering, land surveying, geology, and geophysics as there might be with cases involving nursing or other healing arts professions, DOI does not give this Board's cases the highest priority. The inability of DOI to timely investigate its cases contributes to the overall aging of the Board's complaint investigation cases and, on occasion, causes statutes of limitations to expire on cases that could potentially be prosecuted in criminal court. It would be beneficial to all boards and bureaus if DOI were able to increase the number of investigators it employs and to also create specific units within DOI to handle specific types of cases or to work with specific boards, such as the unit of investigators that focuses on cases from the Medical Board of California. This operational change would allow DOI to better distribute workload and prioritize cases so that the Board's cases are not set aside when other cases that

seem to demonstrate a more immediate threat to the public are submitted by other boards and bureaus.

DOI leadership has made efforts to streamline a number of services to its clients, notably by utilizing its Enforcement Support Unit (ESU) to better serve clients in the initial review process or to assist in matters that do not require sworn investigator positions. The Board would also like to collaborate with DOI in efforts to more effectively investigate the Board's cases through a closer working relationship among DOI Investigators, Board staff, and the Board's independent Technical Expert Consultants. The Board would also like to explore training tools to better equip DOI Investigators with information regarding the laws unique to the Board's practices, as the majority of cases referred to DOI are related to business structures or the practices of professional engineering, land surveying, and geology, which often contain technical terminology not readily understood by DOI Investigators.

In addition to the implementation of new laws and other processes, Enforcement Unit staff has continued to be effective with its current organizational make-up. Continuing to dedicate duties of one analyst position to issuing citations and conducting informal conferences and one analyst position to preparing and sending citations to the Office of the Attorney General for processing formal appeals has ensured no backlog in the processing of post-investigation cases and enabled the remaining staff analysts to focus heavily on the processing of complaint investigations.

The Board realizes that, while significant efforts have been made to reduce the aging of cases to what it determines are acceptable levels, continuing to develop ideas for improvements with its own internal process as well as protocols for working collaboratively with other divisions and agencies will ensure achieving its goals.

Despite the Board's aggressive efforts to reduce the internal backlog and aging of its complaint investigations, significantly protracted processing times remain a challenge, specifically for cases that are referred to the Office of the Attorney General and Office of Administrative Hearings (OAH) that involve citation appeals and formal disciplinary actions. The Office of the Attorney General handles cases for all of the boards and bureaus within DCA, and they are heavily inundated. OAH hears matters for multiple agencies in addition to DCA. The Board would like to see a reduction in the overall processing time for formal disciplinary cases, including the investigation time and the time to pursue the action, to an average of 540 days, as mandated by DCA. The average has been significantly reduced over the last five fiscal years, at one point reaching this goal. By the end of FY 2022/23, the goal was only exceeded by a little more than two months.

Effective January 1, 2018, pursuant to B&P Code §312.2, the Office of the Attorney General is required to report certain statistical information relating to the adjudication of its cases to DCA, the Governor, and the Legislature. While the Board has no control over the processing times for the Office of the Attorney General, Board staff has seen a more concerted effort by the Office of the Attorney General to monitor the Board's cases and work collaboratively with Board staff to reduce aging of cases. This is evidenced by the



reduction of aging from the referral of cases to the filing of accusations. (92 days average during FY 2019/20 through FY 2021/22). [See Table 9a for statistics regarding Accusations.]

OAH is also required to report certain statistical information related to the processing of its cases. While the Board does not collaborate with the agency in efforts to focus on aging cases, there has been a significant reduction in the average number of days between the submittal to OAH of a request to set a hearing and the issuance of a proposed decision from 185 days in FY 2018/19 to 101 days in FY 2021/22 (according to OAH's Caseload Statistics and Hearing Timeframe Reports for the last three fiscal years).

The Board would like to pursue other means to improve the effectiveness of the Enforcement Unit's processing of its complaint investigations, particularly those related to unlicensed practice. While issuing an administrative citation is an effective means of disclosing unlicensed activity to the public and emphasizing the severity and gravity of such violations, it is not always effective in motivating violators to cease and desist. Many choose to pay the fines and continue to offer and practice, while others choose to ignore the administrative citation altogether. The use of the internet to advertise professional engineering, land surveying, and geologic services continues to be on the rise. Business by unlicensed individuals is often conducted solely through internet advertisements, either using broker/referral websites or individual sites for companies.. Communication is often through email and mobile telephone service, and payment is made through online payment options. This process can severely hinder ability by the consumer or the Board to pursue remedies if a breach of contract or fraud occurs. Therefore, the Enforcement Unit would like to research additional means of effectively inhibiting solicitation of illegal activities. For instance, current law provides the Board, through the issuance of an administrative citation, authority to order individuals advertising professional services in telephone directories to disconnect telephone services regulated by the Public Utilities Commission (PUC). Legislation enacted in 2015 broadened this to include any advertising, not just a listing in a telephone directory. However, many unlicensed individuals operate through mobile telephone services, which are not regulated by the PUC. In addition, there is currently no authority to require violators to shut down websites illegally advertising professional services or to require the online broker/referral websites to remove the listings. The Board would like to collaborate with the online broker/referral sites to better educate their online customers and the public of possible licensure requirements, as well as easily identify and investigate those in violation of the Board's laws.

Another serious problem regarding unlicensed activity is unlicensed individuals operating engineering and land surveying businesses without having an appropriately licensed individual as an owner, partner, or officer in responsible charge. Currently, companies offering professional engineering and land surveying services are required to provide an Organization Record (OR) form, filed free of charge, which lists the licensed professional(s) in responsible charge of professional services offered and performed. During the 2022 legislative session, the Board sponsored legislation (Ch. 302, Stats.2022) that repealed a subdivision in B&P Code § 6738 and 8729 that was widely

misinterpreted as allowing non-engineering and non-land surveying businesses to offer professional engineering or land surveying services as long as the business then contracted with a licensee to be in responsible charge of the work. Although this was not at all what the subdivision stated, the Board determined that the best course of action was to repeal it to prevent any future misunderstandings or misuse of the law. This change became effective January 1, 2023. Currently, there is not a requirement for geological and geophysical companies to file an OR form, although the Geologist and Geophysicist Act does require a professional geologist or geophysicist, as appropriate, to be an owner, partner, or officer of the business and in responsible charge of the professional services offered and performed. The Board has been exploring a means to integrate certain data elements into the BPELSG Connect system that will better enable the tracking of licensees' association with engineering, land surveying, geology, and geophysics businesses offering services in California.

### **Cite and Fine**

The Board may issue administrative citations to both licensed and unlicensed individuals. The citations may contain an order of abatement or an order to pay an administrative fine to the Board in the maximum amount of \$5,000 per violation or both. Citations may be issued to unlicensed individuals when the investigation reveals that the unlicensed person violated the Board's laws by committing acts that require a license, such as advertising/offering/contracting for and performing professional services. Although unlicensed activity may be charged as a criminal misdemeanor through the District Attorney's Office, most District Attorneys are unwilling to expend their limited resources on crimes that they view as minor and can be handled administratively.

By issuing a citation, the Board puts the unlicensed individual on notice regarding his or her actions that constitute a violation of the laws, as well as providing public notice to potential concerned or affected individuals. Citations are also issued to licensees who have violated the laws but are not deemed to be a threat to the health and safety of the general public. For example, many of the land surveying complaints investigated by the Enforcement Unit involve the failure of the licensee to file a Record of Survey or a Corner Record with the County Surveyor's Office in the time and manner required by law. A citation can be issued to the licensee containing an order of abatement ordering him or her to file the required record; by issuing the citation ordering the licensee to comply with the law, the Board is ensuring that the public is protected by the maintenance of the public records of lands. The majority of citations issued to unlicensed individuals are for violations involving offering to practice, which includes executing the written contract with the client, and operating a business as the sole owner through which the professional services are offered. The most common violations for which citations are issued to licensed individuals involve failing to file or resubmit survey maps to the County Surveyors' Offices in the time and manner required by law and failing to execute a written contract that includes all of the elements required by law. The issuance of a citation also gives the Board the authority to enforce compliance from the licensee, because a failure to comply with a citation order can lead to further – and more serious – disciplinary action

against the licensee. The Board's issuance of the citation serves as a reminder to the licensee and other licensees that he or she must follow the laws and regulations under which he or she is granted licensure and that there are professional and monetary consequences if he or she does not.

Citations become final 30 days after issuance unless they are appealed. The cited person may appeal the citation by requesting an informal conference with the Board's Executive Officer or a formal administrative hearing before an Administrative Law Judge or both. On average, 50% of the citations issued are appealed. Typically, the cited person requests both an informal conference and a formal appeal hearing. There have been 156 informal conferences held over the last four fiscal years. Sixty-five citations have been referred to the Office of the Attorney General for formal appeal.

Following the informal conference, the Executive Officer may dismiss, modify, or affirm the citation. If the citation is dismissed, it is considered final immediately upon issuance of the dismissal. If the citation is modified or affirmed, then it becomes final 30 days after issuance of the modification or affirmation, unless the cited person has already requested a formal administrative hearing or does so upon receipt of the modification or affirmation. A fine is not considered assessed until the citation becomes final. If a fine is assessed, it becomes due and payable 30 days after the citation becomes final. The Board will extend the time in which the payment must be made and allow the cited person to make payments if so requested.

Currently, there is a high outstanding balance of fines owed to the Board. This circumstance usually exists when a fine is assessed against an unlicensed person, and the Board has had, until recently, limited recourse to collect the fines. Most licensees pay the fines because failure to do so could result in their not being able to renew their licenses or in formal disciplinary action being taken against their licenses for failure to comply with the citation orders. In many cases, the Board is unable to locate the unlicensed person to pursue collection, and the Board was only able to collect unpaid fines through the use of the Franchise Tax Board (FTB) refund intercept program through tax refunds, lottery winnings, and unclaimed property. However, the occurrences when the Board receives funds are rare. There are 138 outstanding accounts that have been referred to FTB, with an outstanding balance to be collected of \$525,500. There have been 24 instances of receiving funds, totally approximately \$60,000. In addition to the relative lack of success of the FTB program in recovering fines, staff time expended is approximately two hours per account to process, including writing letters to the subject and referring the matter to DOI for the collection of personal information required to refer to FTB. It is noted that accounts can only be referred to FTB in the event a Social Security Number is available. This is possible only if the person has been an applicant or if a person's identity is unique enough for it to be ascertained by DOI staff.

In FY2022/23, a Department-Wide account with a collection agency was created to allow boards to pursue another avenue to collect outstanding fines. This process is still in its infancy, with trainings planned in the future to assist Board Staff in sending fines owed by unlicensed individuals to the collection agency for processing. While Board Staff has yet

to initiate this process, we are excited to have the opportunity to do so and hopefully provide more of a deterrent for unlicensed practice.

## **Cost Recovery and Restitution**

### **Cost Recovery Efforts**

The Enforcement Expenditures include the Office of the Attorney General, OAH and Court Reporters (for hearings conducted by OAH), Evidence/Witness (Technical Expert Consultants on all cases, not just those that are referred to the AG's Office), and DOI line items.

Resolution of the formal disciplinary process can result in either the revocation or surrender of a license or a revocation that is stayed with probationary terms. Cost recovery of the Board's expenditures is often ordered as part of a disciplinary decision issued by the Board, either through adoption of a proposed decision prepared by an Administrative Law Judge or a stipulated settlement as agreed to by the respondent and the Executive Officer. However, cost recovery is seldom sought as part of a surrender or complete revocation, as these results eliminate the respondent's authority to practice and, likely, his or her primary source of income.

The Board has found that it is much more successful in obtaining full recovery of the costs ordered if the respondents/probationers are allowed to make payments to the Board during the period of probation, rather than requiring them to make one payment shortly after the decision becomes effective. If the reimbursement of the costs is ordered as a condition of probation, which it is in the majority of cases, the only recourse the Board has if the respondent/probationer fails to pay is to terminate the probation and either suspend or revoke the license. If the Board does that, then it cannot collect any of the costs. Therefore, while it may take longer for the Board to receive reimbursement of its costs by allowing the respondents/probationers to make payments, the Board is ultimately more successful in obtaining the cost recovery as ordered. The Board does not use FTB to collect cost recovery.

**Table 11. Cost Recovery <sup>1</sup>**

(list dollars in thousands)

	FY 2018/19	FY 2019/20	FY 2020/21	FY 2021/22	FY 2022/23
Total Enforcement Expenditures	\$1.273 (in mill)	\$1.098 (in mill)	\$1.596 (in mill)	\$1.391 (in mill)	\$1.143 (in mill)
Potential Cases for Recovery <sup>2</sup>	23	25	24	14	11
Cases Recovery Ordered	20	22	20	11	7
Amount of Cost Recovery Ordered	\$109,423.85	\$121,180.12	\$106,534.00	\$47,043.13	\$72,164.75
Amount Collected (at end of fiscal year; costs may be paid over several years)	\$22,726.05	\$111,930.22	\$133,271.00	\$51,257.40	\$43,544.78

<sup>1</sup> Cost recovery may include information from prior fiscal years.

<sup>2</sup> "Potential Cases for Recovery" are those cases in which disciplinary action has been taken based on violation of the license practice act.

### Restitution Provided To Consumers

Pursuant to Government Code Section 11519(d), the Board may order a licensee to pay restitution as a condition of probation. Restitution may not be ordered in a disciplinary decision that does not include probation, unless it is agreed to in a stipulated settlement. Additionally, restitution cannot be ordered through an administrative citation. Typically, the restitution ordered is the amount the consumer paid to the licensee for the services, or the amount the consumer paid to another licensee to re-do the work, and may also include fees the consumer had to pay to a governmental agency, such as plan or map checking fees or permit fees. However, it does not include punitive damages, which are appropriately left within the purview of the civil courts.

**Table 12. Restitution**

(list dollars in thousands)

	FY 2018/19	FY 2019/20	FY 2020/21	FY 2021/22	FY 2022/23
Amount Ordered	\$0	\$7,900.00	\$6,900.00	\$0	\$0
Amount Collected	\$0	\$0	\$6,900.00	\$0	\$0



# SECTION 5





## Section 5 – Public Information Policies

### **Public Information**

The Board maintains its own website and regularly provides updates at <http://www.bpelsg.ca.gov>. The website contains information for consumers, licensees, and applicants, including the Professional Engineers Act, the Professional Land Surveyors' Act, the Geologist and Geophysicist Act, and the regulations associated with the three Acts; the Board *Bulletin* (newsletter); notices of Board meetings; Board meeting minutes; notices of rulemaking proposals; and information regarding applying for licensure. The Board's on-line presence is intended to expand the reach and quality of its external communications, improve service delivery, connect and interact with stakeholders, and enhance public access to Board policies and programs.

### **Meeting Materials**

Meeting materials for Board Meetings are made available within a week following the posting of the meeting's Official Notice and Agenda. The Official Notice and Agenda is posted at least 10 days in advance of every meeting. The notices for Board meetings remain on the homepage only until the date of the meeting but can still be accessed through the Board Meetings page.

### **Minutes**

It is the Board's policy to maintain the agenda, meeting materials, and minutes for five years on the Board's website. Draft minutes are not posted online since they are not considered official until the Board approves and adopts them. Once approved and adopted by the Board, Board meeting minutes are generally posted the next business day following the Board meeting at which they were approved and adopted.

### **Webcasting and Meeting Calendar**

It is important to understand there is a difference between "webcasting" a meeting and holding a meeting via a virtual/remote platform. Webcasting is simply a static video broadcast and recording; it does not allow for the viewer to interact with the meeting attendees. A virtual/remote platform, such as WebEx, Zoom, or Teams, allows for all of the meeting attendees, public and Board members, to be in remote locations and still participate in the meeting and communicate in real time.

As the Board indicated in its last two (2014/2015 & 2018/2019) Sunset Reports and Responses, the Board has considered webcasting its meetings in the past. However, the Board believes that providing opportunities for the public to actually participate in the discussions at Board meetings is of prime importance, and webcasting does not allow for

such actual participation by the public. As the Board noted in its previous Sunset Reports and Responses, the Board was not inclined to webcast its meetings because doing so does not enhance the public's opportunities to interact with the Board. However, as the Board previously noted, it was supportive of video conferencing its meetings since that would allow for the public to participate from remote locations. The Board's hesitation over video conferencing at that time was related to the technology and logistics involved.

After the onset of the pandemic in early 2020, the Board quickly transitioned to virtually held Board meetings primarily using WebEx, an online hosting platform, to facilitate the public board meeting process. While the Board, like many other organizations during this time, did experience some initial adjustments related to mobile platform standardization, the transition did occur in fairly expedient fashion. Prior to the pandemic, the Board rarely experienced much audience in terms of physical attendance by members of the public, but it was observed during height of the pandemic that, on average, 10-20 public participants did attend the virtual meetings, providing a similar level of public comments as in prior years. Subsequently, as the effects of the pandemic eased through 2021-22 and the Board began to transition to a hybrid (physical and virtual participation) format, it was observed that physical attendance by members of the public mirrored the 5-10 individuals generally present in years prior while participation virtually slightly exceeded that norm.

During 2023, and after evaluating the inconsistencies associated with ensuring there would be reliable internet services to support virtual access wherever the Board held its meetings in the state, the Board elected to schedule half of its scheduled meetings in Sacramento at the Department of Consumer Affairs (DCA) headquarters, which is equipped to allow for hybrid-type meetings, with the remaining meetings held throughout the state, which allows suitable participation by members of the public who wish to attend in person. The Board intends to evaluate this policy on an annual basis due to the fluid nature of reliable internet services and to address any changes which may become necessary due to revisions in legislation related to the Bagley-Keene Open Meeting Act pertaining to public meetings.

The Board establishes an annual calendar for Board meetings that is approved by the Board at the end of the prior year. Following approval, the meeting calendar is posted on the Board's website.

### **Website and Outreach Information**

In addition to the information included in the "Public Information" section above, one of the main links on the Board's homepage is dedicated to the consumer and includes such information as how to use the License Search, how to file a complaint, and the Consumer Guides to engineering, land surveying, geology, and geophysics. The public can check on the license status of the person(s) they are considering hiring using the online License Search feature. This feature provides information on the Board's licensees including their license numbers, issue dates, expiration dates, and addresses of record. The License

Search feature also provides links to accusations filed and disciplinary actions taken against the licensee. Consumers can also find out how to file a complaint with the Board regarding engineering, land surveying, geology, and geophysics issues. Complaints are now submitted through the BPELSG Connect system [see more information in Section 4 – Enforcement].

The Board has a Social Media program, which includes the notification and distribution of information that the Board wishes to distribute to its stakeholders. This active Social Media Program, supported by Facebook and X (formally known as Twitter), provides dynamic platforms to channel the Board’s distribution of pertinent information and related content as well as expands its reach to the consumer population.

In addition, the Board maintains a database of all professional engineering, land surveying, geological, and geophysical professional organizations active in California. The database contains all contact information for the organizations, and we regularly reach out to them in our effort to keep them engaged in their respective disciplines in our state. Also, at the request of professional societies and state and local governmental agencies, Board staff will attend meetings to discuss any legislative or regulatory changes in the Professional Engineers Act, the Professional Land Surveyors’ Act, the Geologist and Geophysicist Act; regulatory and enforcement issues; and other topics related to the Board. These outreach meetings also serve to keep the lines of communication open between the Board and state and local governmental agencies, licensees, and professional associations.

The Board also maintains a repository of information for the public which is obtained from a notification submitted by local public agencies that contains the name and contact information of any licensees employed by and practicing engineering or land surveying at a city, county, city and county, district, and special district. This information is required to be submitted to the Board by each public entity. The Board has created a form to facilitate this required notification; this form is referred to as the Notice of Department Designation (NODD) form. When a consumer contacts the Board needing to interact with a public entity related to engineering or land surveying services, the information from the NODD can be shared with the public.

Additionally, the Board provides extensive information for applicants and licensees on the Board’s website, as well as information explaining the required qualifications for licensure. Information for licensees includes specific pages addressing the written contract laws, the Codes of Professional Conduct, and the Reporting of Legal Actions Program.

The Board also has a College Outreach program to encourage college students and professors to seek licensure. This program is discussed in more depth in Section 7 – Workforce Development and Job Creation.

## **Complaint Disclosure Policy**

The Board's Policy on Disclosure of Complaints and Disciplinary Actions was formally adopted by the Board in July 1994. Prior to formally adopting a disclosure policy, the Board observed an informal policy that followed the same guidelines and principles that were then expressed in the formal policy adopted in 1994. The Board reviews its disclosure policy and updates it as needed. The Board's disclosure policy is consistent with DCA's policies on disclosure of complaint information and posting of disciplinary action information on the internet.

It is the policy of the Board to provide information to the public regarding complaints and disciplinary actions resulting from violations of the Professional Engineers Act, the Professional Land Surveyors' Act, the Geologist and Geophysicist Act, and the Regulations of the Board. The Board keeps records of complaint investigation cases that do not result in citations or formal disciplinary actions for five years. The Board discloses the following information upon request after the completion of an investigation:

- Number of complaints against the individual
- Date the complaint was received
- Disposition of the complaint, such as compliance obtained, mediated/resolved, referred for formal legal and/or disciplinary action, or any other action taken against the subject.

If the complaint is still in the investigation stage or if the investigation reveals that there was no violation of the law, no information is disclosed.

The Board keeps records of citations and formal disciplinary actions (accusations and decisions) and discloses the information as required by law. The information provided includes the:

- Action taken
- Reason(s) for the action
- Date of the action.

If the matter is final, information regarding compliance with the order is also provided. If the citation or decision on the accusation is not yet final, its procedural status is provided.

The Board also publicizes its enforcement actions by publishing articles in the Board's newsletter, posting the information on the Board's website as required by B&P Code § 27, and by providing information to other states' regulatory boards.

## SECTION 6



## Section 6 – Online Practice Issues

In recent years, the Board's Enforcement Unit has been called upon to investigate the way in which professional engineers, land surveyors, geologists, and geophysicists are advertising their services via the Internet. In general, under the Professional Engineers Act, the Professional Land Surveyors' Act, the Geologist and Geophysicist Act, and the Regulations of the Board, internet advertising is no different than advertising in paper publications, such as magazines or telephone directories. If a professional engineering, land surveying, geology, or geophysics company has a website through which they are offering their professional services, then they must meet all of the same requirements as any other professional engineering, land surveying, geology, or geophysics company that offers services in California. The Board has required companies to make modifications to their websites to ensure that they are in compliance with California's laws, such as clarifying what services they are allowed to perform in California.

One of the issues that the Board's Enforcement Unit is faced with pertaining to the advertising of these services involves online broker/referral websites. Since most consumers are interested in services related to their personal homes and property, the Board more often encounters issues that involve the procurement of land surveying services and, to a lesser degree, engineering, geology, and geophysics services. Online sites such as [angi.com](http://angi.com), [upwork.com](http://upwork.com), and [freelancer.com](http://freelancer.com) provide a one-stop location where consumers can research individuals (or companies) in their regional area who perform the services that they need and pay the individuals and companies directly through the online platform. Many times, these sites include ratings from past customers on how well the services were performed. These online sites allow anyone to list themselves as offering, providing, and performing these services without any verification of licensure. The proliferation of these online sites leads consumers into unknowingly thinking that if the individual or company is listed on this site and has a good rating, then they must be appropriately licensed. The Board's Enforcement Unit has encountered situations where this is not the case, and the consumer may be harmed by the services for which they contracted.

There are other instances involving online sites such as [www.craigslist.org](http://www.craigslist.org) where anyone can advertise services without any sort of standardized manner that a consumer can use to compare one advertisement to another or to have the option of knowing past performances. It is recognized that sites such as this are not as sophisticated as the previously mentioned broker/referral sites, and the consumer is choosing to research these sites at their own risk.

Furthermore, business by unlicensed individuals is often conducted solely through internet advertisements, either using broker/referral websites or individual sites for companies. Communication is often through email and mobile telephone service, and payment is made through online payment options. This process can severely hinder ability by the consumer or the Board to pursue remedies if a breach of contract or fraud occurs.

While there are laws that allow the Board to issue citations to unlicensed individuals who are illegally advertising professional services and include an order to disconnect the land line telephone number listed in the advertisement, there is no authority to disconnect cellular telephone lines. Furthermore, there is no authority to require violators to shut down websites from which they are illegally advertising professional services or to require the online broker/referral websites to remove the listings. The Board would like to collaborate with the online broker/referral sites to better educate their online customers and the public of possible licensure requirements, as well as easily identify and investigate those in violation of the Board's laws.



# WORKFORCE DEVELOPMENT AND JOB CREATION

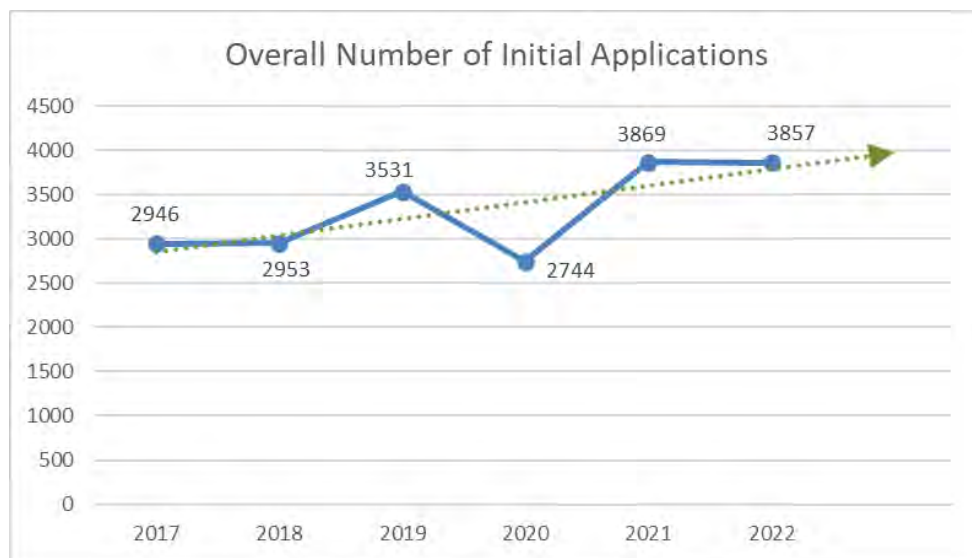
## SECTION 7

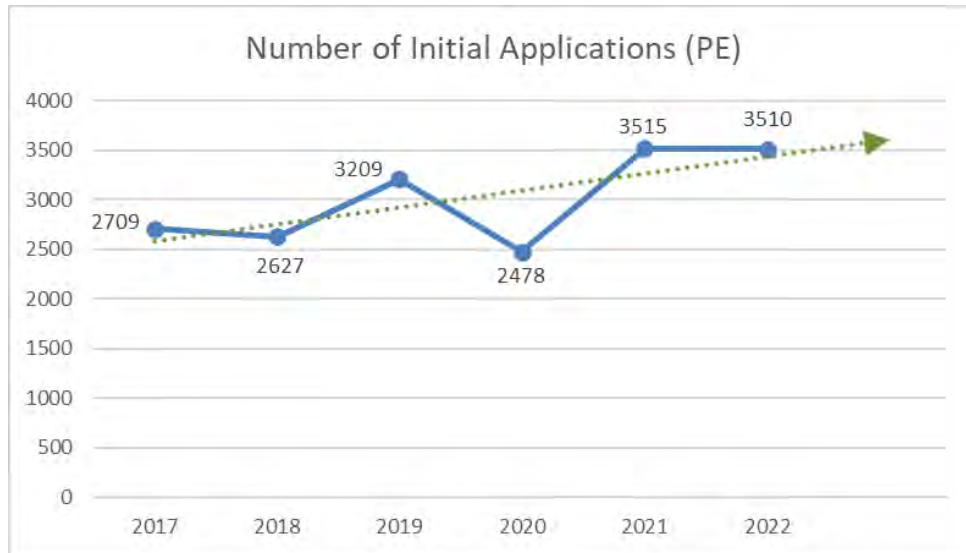


## Section 7 – Workforce Development and Job Creation

It is not the role of the Board to create jobs or provide job training in the professions it regulates; the Board's duty is to ensure that individuals who are seeking licensure are qualified to practice with due regard to the health, safety, welfare, and property of the public. However, the Board does have impact on the workforce in the length of time it takes for individuals to obtain licensure. To ensure that qualified individuals obtain licensure as timely as possible, the Board has established targeted timeframes for processing applications and an effective outreach plan. The Board has identified the need for targeted timeframes for processing applications for examination and initial licensure to allow for qualified individuals to quickly enter the profession.

Additionally, since the introduction of BPELSG Connect, the Board has received historically high volumes of initial applications, particularly for the Professional Engineer license types, which has contributed a negative impact to the targeted timeframes for licensure and lengthened the time for the Board to complete the application review process.





More detailed information on the volume of applications and processing timeframes is discussed under Section 3 – Licensing Program.

By 2013, the Board had transitioned all of its state examinations to be administered through the computer-based testing (CBT) method, using a nationally recognized organization that has testing centers throughout North America. This allows individuals to take the examinations in locations most convenient to them. It also allows the Board to issue the examination results in a shorter period of time (generally reducing the period from three months to one month after the examination is administered). Following along very shortly after, both national providers of examinations, National Council of Examiners for Engineers and Surveyors (NCEES) and the National Association of State Boards of Geology (ASBOG) began transitioning their national examinations to CBT. NCEES began this transitioning their examinations in 2014 and will complete that transition in 2024. ASBOG completed the transition of its examinations to CBT in 2023. More information on the national examinations can be found under Section 3 – Licensing Program.

Additionally, the Board has established targeted timeframes to ensure that individuals renewing a license do not experience lapses in practice rights.

In addition, as part of its quarterly newsletter, the Board provides current information regarding requirements for licensure, examination information, and public interest pieces that impact the licensee and the consumer.

Furthermore, the Board's College Outreach Program provides information regarding career development, initial licensing, and examination requirements to college students and professors. The purpose of this program is to provide information and education to professionals, students, and consumers in the application of the Professional Engineers Act, the Professional Land Surveyors' Act, the Geologist and Geophysicist Act, and the engineering, land surveying, geology, and geophysics professions. Board members and

staff make it a priority to attend ABET visits as observers. ABET, Inc., is the national accreditation organization for engineering and land surveying programs. Attendance at college outreach activities, such as “Engineering Day,” at California campuses is also a high priority of the Board. The Board also maintains a database of all college engineering, land surveying, and geology programs in California. The database contains all contact information for the deans and department chairs of the disciplines that it oversees. In the spring and fall, the Board sends updates to these individuals to notify them of changes or updates to Board practices, as well as to give the schools a contact point should they have questions about Board practices.

### **Diversity, Equity, and Inclusion Efforts**

The Board began efforts to recognize diversity, equity, and inclusion (DEI) considerations during its Strategic Plan revisions in 2021 (more information on the Board’s 2022-27 Strategic Plan can be found under Section 1 – History of the Board) by initially including objectives which relate to these considerations.

Subsequently, in 2023, the Board revisited two of the objectives related to DEI and discussed ways to revise each objective to communicate the intended goal more clearly. Additionally, the Board intends to revisit the current plan during 2024 in accordance with the Governor’s Executive Order N-16-22 related to DEI considerations.

Recently, DCA provided workshops related to DEI in several formats for Board leadership, managers, and Board members. The Board’s managers and executive leadership participated in these workshops to familiarize themselves with DEI concerns and solutions.

It is important to recognize that by the Board offering its examinations through a computer-based testing exam administration format opens up the ability for built-in accommodations and accessibility tools which may form less of a physical impediment to test taking versus the traditional paper-based exams, such as selection of testing options.



## CURRENT ISSUES

# SECTION 8





## Section 8 – Current Issues

### **DCA's Consumer Protection Enforcement Initiative**

Following the failed passage of Senate Bill 1111 (Negrete McLeod) in 2010, DCA recommended that the boards consider adopting regulations to implement some of the provisions proposed in the legislation as a way to implement the Consumer Protection Enforcement Initiative (CPEI). The following is the list of the items DCA prepared as its “CPEI SB 1111 (4/12/10 version) Proposed Changes through Regulations,” along with the recommendation from DCA as to what action could be taken to accomplish the item. As indicated in the Board's last two (2014/2015 & 2018/2019) Sunset Reports and Responses, the majority of these items applied to the healing arts boards since those boards were the focus of the CPEI and SB 1111. Following the DCA list of items is the action taken by the Board or the reason that no action was taken.

#### DCA LIST

*Board delegation to Executive Officer regarding stipulated settlements to revoke or surrender license*

Permit the Board to delegate to the Executive Officer the authority to adopt a “stipulated settlement” if an action to revoke a license has been filed and the licensee agrees to surrender the license, without requiring the Board to vote to adopt the settlement.

Recommend: Amend regulations.

*Revocation for sexual misconduct*

Require an Administrative Law Judge (ALJ) who has issued a decision finding that a licensee engaged in any act of sexual contact with a patient or who has committed or been convicted of sexual misconduct to order revocation which may not be stayed.

Recommend: Amend regulations/disciplinary guidelines.

*Denial of application for registered sex offender*

Require the Board to deny a license to an applicant or revoke the license of a licensee who is registered as a sex offender.

Recommend: Amend the regulations pertaining to applicant requirements and disciplinary guidelines.

*Confidentiality agreements regarding settlements*

Confidentiality agreements regarding settlements can cause delay and thwart a Board's effort to investigate possible cases of misconduct, thereby preventing the Board from performing its most basic function – protection of the public.

Recommend: Define in regulation that participating in confidentiality agreements regarding settlements is unprofessional conduct.

*Failure to provide documents and Failure to comply with court order*

Require a licensee to comply with a request for medical records or a court order issued in enforcement of a subpoena for medical records.

Recommend: Define in regulation that failure to provide documents and noncompliance with a court order is unprofessional conduct.

*Psychological or medical evaluation of applicant*

Authorize the Board to order an applicant for licensure to be examined by a physician or psychologist if it appears that the applicant may be unable to safely practice the licensed profession due to a physical or mental illness; authorize the Board to deny the application if the applicant refuses to comply with the order; and prohibit the Board from issuing a license until it receives evidence of the applicant's ability to safely practice.

Recommend: Amend regulations pertaining to applicant requirements that a psychological or medical evaluation may be required.

*Sexual misconduct*

Currently defined in B&P Code §726.

Recommend: Define in regulation that sexual misconduct is unprofessional conduct.

*Failure to provide information or cooperate in an investigation*

Make it unprofessional conduct for a licensee to fail to furnish information in a timely manner or cooperate in a disciplinary investigation.

Recommend: Define in regulation that failure to provide information or cooperate in an investigation is unprofessional conduct.

*Failure to report an arrest, conviction, etc.*

Require a licensee to report to the Board any felony indictment or charge or any felony or misdemeanor conviction.

Recommend: Define in regulation that failure to report an arrest, conviction, etc. is unprofessional conduct.

BOARD ACTION OR REASON FOR NO ACTION

*Revocation for sexual misconduct*

*Denial of application for registered sex offender*

*Sexual misconduct*

The Board does not believe there is a sufficient nexus to the Board's regulated professions, as there would be to the healing arts professions, to require the automatic denial or revocation of a license if the person had been convicted of a sexually-based offense, as was proposed by several of the items. The Board already has the statutory authority to deny or revoke a license based on a conviction of a crime that is substantially related to the regulated practice and regulations that define the substantial relationship and that address the rehabilitation evidence that the Board must consider prior to denying or revoking the license. The Board believes these laws are sufficient to ensure public protection in the event that an applicant or licensee is convicted of a sexually-based offense.

#### *Psychological or medical evaluation of applicant*

The Board also did not believe there was a sufficient nexus to its regulated professions, as there was for the healing arts professions, to support requiring applicants to submit to psychological or medical evaluations as a condition for licensure.

#### *Confidentiality agreements regarding settlements*

Legislation [Stats. 2012, Ch. 561, Sec. 1. (AB 2570)] was passed in 2012 to add a provision to the B&P Code (§ 143.5) to prohibit licensees from including conditions in civil settlements that would prevent a consumer from filing a complaint or cooperating with the licensing boards during an investigation. As such, there is no need for the Board to adopt a regulation addressing that issue.

#### *Failure to provide information or cooperate in an investigation*

##### *Failure to provide documents and Failure to comply with court order*

As the Board noted in its 2014/2015 Sunset Review and Response, the Board did not have the statutory authority to adopt regulations to require a licensee to cooperate with the Board and its staff or other representatives (such as DOI or the AG's Office) during the course of an investigation. As such, the Board could not pursue regulations to address this and sought to obtain the Committees' assistance to enact a statutory requirement similar to that already in place for the Contractors State License Board (B&P Code § 7111.1). Sections 6775.2, 7860.2, and 8780.2 were added to the B&P Code, effective January 1, 2016, to address this issue (Chapter 428, Statutes of 2015).

#### *Failure to report an arrest, conviction, etc.*

The Board's statutes already require its licensees to report convictions; therefore, there is no need for the Board to enact regulations for such a requirement.

#### *Board delegation to Executive Officer regarding stipulated settlements to revoke or surrender license*

The Board is the final decision maker in matters relating to formal disciplinary actions taken against licensees. The Board did not believe it was appropriate to abrogate its responsibility to make these decisions, especially in cases that involve taking away a licensee's right to practice. Furthermore, allowing the person (the Executive Officer) who has the ultimate authority to negotiate a settlement to be the one to adopt the settlement as a final decision gives the appearance of a conflict of interest, bias, and lack of oversight by the Board. Additionally, the Board's statutes indicate that a person must wait three years to petition the Board for reinstatement of a revoked license, unless the Board specifies a shorter period of time in its order of adoption of the final decision; when considering whether to adopt a default decision that orders the revocation of a license, the Board always considers whether it should reduce that time period, and sometimes chooses to do so. This is a decision that must be made by the Board. Finally, the Board does not believe that allowing the Executive Officer to adopt default decisions and stipulations for surrender or revocation would have much impact on the aging of the Board's cases, which was the stated reason for DCA's recommendation of such delegation. The Board meets often enough to take action

without delay and can also vote on formal disciplinary actions via mail ballot. As such, the Board voted to decline to amend its regulations to delegate the authority to adopt default decisions and stipulations for surrender or revocation to its Executive Officer.

## IT Issues and BreEZe

The Board is not utilizing BreEZe because it is one of 19 boards and bureaus in the former Release 3 implementation of BreEZe.

As a result of the Board's 2015/2016 Business Modernization Study, the Board subsequently worked, in concert with the DCA Office of Information Services (OIS) through the California Department of Technology's (CDT) Project Approval Lifecycle (PAL) process, towards acquiring a new application licensing management system. In September 2020, the Board, together with three other programs and the Department's Office of Information Services (OIS), known as "Business Modernization Cohort 1", launched Phase 1 of its new integrated application and license management system. The Board's implementation of this system is referred to as BPELSG Connect and was primarily established in a phased approach which assisted with the adoption of the system:

Phase	Type	When	Applicant/Licensee/Consumer
1	Engineer-In-Training (EIT) Land Surveyor-In-Training (LSIT) Online Complaint Submittal	September 2020	Applicant  Consumer
2	License Renewals	January 2021	Licensee
3	Professional Engineer (no state exam)	June 2021	Applicant
3.5	Professional Civil Engineer and Professional Land Surveyor and Re-examination of state exams for legacy/existing applicants	November 2021	Applicant
4	System enhancements	April 2022	Applicant, Licensee, Consumer
5	System enhancements	October 2022	Applicant, Licensee, Consumer

<b>Phase</b>	<b>Type</b>	<b>When</b>	<b>Applicant/Licensee/Consumer</b>
6	System enhancements	February 2023	Applicant, Licensee, Consumer
7	Geologist-In-Training (GIT) and Professional Geologist (PG)	April 2023	Applicant

Applicants can complete, submit, and monitor applications for certification or licensure within the online BPELSG Connect system. The Board anticipates the integration of the remaining license type applications, enforcement case monitoring, and license renewal assessment during the 2024-25 timeframe. Licensees can also pay their renewal fees through BPELSG Connect online via credit card, which expedites the renewal process. Information on applications and licensure in BPELSG Connect is discussed in more depth under Section 3 – Licensing Program and for complaint investigations under Section 4 – Enforcement Program.



## BOARD ACTIONS AND RESPONSES TO COVID-19

# SECTION 9





## Section 9 – Board Actions and Responses to COVID-19.

While individuals regulated by the Board were impacted by the COVID-19 pandemic in much the same way as the general public, it is the Board's understanding that the majority of engineers, land surveyors, geologists, and geophysicists were deemed as "Essential Workers" by state and local public agencies during the pandemic because the services normally provided by these individuals supported the health, safety, and welfare of the public in addition to the state's developing infrastructure.

Despite initial logistics issues encountered during transition to virtual format at the onset of the COVID-19 pandemic in spring 2020, the Board transitioned primarily to virtual meetings during the entirety of 2020-21 eventually transitioning to a hybrid approach of in-person meetings, with virtual participation by the public where possible, beginning in March 2022. Since that time, the Board has made efforts to hold in-person meetings in locations around the state with a minimum of three meetings held annually in Sacramento where the Board can ensure that the public can choose to participate by virtual means in addition to appearing in person.

The pandemic did have a temporary impact on the Board's ability to provide complete services pertaining to the licensure process, primarily impacting the ability for the Board's examination vendors to administer necessary examinations. The state and national examinations used by the Board were canceled for the Spring 2020 administrations. The administration of these examinations slowly began to become increasingly available for scheduling on a limited basis through the remainder of 2020 and into 2021. Even then, due to the nature and priority of other license populations who were deemed essential for health care purposes, the Board's applicants did experience limited availability of testing accommodations while the testing centers were operating under federal, state, and local exposure mandates.

By 2022, both the national examination vendors and the testing centers for the Board's state examinations had made adjustments to the administration schedules both within California and across the nation for the Board's applicants. As of the time of this report, all of the examinations have returned to a regular schedule for administering examinations.

The Board has not implemented, and does not foresee the need to implement, any statutory revisions, updates, or changes due to the COVID-19 pandemic.



## BOARD ACTION AND RESPONSE TO PRIOR SUNSET ISSUES

# SECTION 10



## Section 10 – Board Action and Response to Prior Sunset Issues

The Board was last reviewed in 2018-2019 by the Assembly Committee on Business and Professions and the Senate Committee on Business, Professions and Economic Development. During that review, the Committees addressed eight issues. The issues, and the Board's actions, are described below.

### ISSUE #1: What is the status of the long term fund condition?

In 2018-2019, the Committees requested that the Board advised them on the source of its excess expenditures and whether anticipated fee increases would be sufficient to prevent further shortfalls in the near future. In response, the Board described issues it had encountered obtaining necessary reports in a timely manner due to the transition to the FI\$Cal system and the efforts Board staff took to monitor its revenue and expenditures without those reports. The Board also described its plans to adjust its fees to avoid a structural imbalance in its fund. At the time, the Board was hopeful that the changes to the fees would go into effect in 2020.

The Board did adopt fee changes through the regulatory process; the new fees became effective on January 1, 2021. These fee changes were needed to address structural imbalances in the Board's budget and to help ensure future fiscal solvency. It standardized fees for all regulated professions under the Board's jurisdiction, such as aligning all renewal fees across all license types. As a result of the fee changes, the Board recognized a \$3,584 increase in revenue for FY 2021/22 over FY 2020/21.

Decreases in renewal licensing fee revenue could have a significant and detrimental impact on the Board's fund condition. Revenue from licensing renewals makes up 80% of the Board's total revenue. Fee increases, which became effective January 1, 2021, had a positive impact on the overall revenue; however, the volume of license renewal applications has trended down. In FY 2020/21, there was a 2% decrease in renewal application volume as compared to the like period of FY 2018/19, and there was a 4% decrease in renewal application volumes in FY 2021/22 as compared to FY 2019/20. Due to a backlog in approving Civil Engineer license applications, the Board is projecting a slight increase in license renewal applications for FY 2023/24 and FY 2024/25 as Board staff works through that backlog and individuals become licensed; however, if the trend continues downward while expenses increase, the fund could become insolvent without additional fee increases. Board staff continuously monitors these numbers and trends in order to react in a timely manner to issues that may impact the Board's fund.

As of June 30, 2023, the reserve is projected at two months, with a \$2.42 million fund balance reserve for economic uncertainties. Beginning in FY 2019/20, the Board funded a Business Modernization effort entirely from the fund balance reserve. The Board closely monitors reserve, revenue, and expenditures presented in financial statements that are standing agenda items for all Board meetings. In the current economic climate with inflationary pressures, the costs of doing business have increased. Factors which impact the Board's expenses include increases in the Office of the Attorney General's

hourly rates, general salary and benefit increases for Board and Department staff, and Department Pro Rata expenses.

More information about the Board's expenditures and budget are described in Section 2 – Fiscal and Staff.

ISSUE #2: Does the Board need more staff in order to meet its performance goals?

In 2018-2019, the Committees requested that the Board advise them on what additional steps the Board would be taking to address licensing delays and what efforts it had made to offer year-round examinations and whether additional action would be necessary to expedite licensing timelines. In response, the Board described the licensure process in effect at the time, including that many of the examinations are national examinations over which the Board has no say in how often they are administered.

Since that time, the Board has developed and launched BPELSG Connect, its online application and licensing management system for almost all of its license types. As described in other sections of this report, this new online system allows applicants to submit their applications through the online portal, allows the references to complete experience verification information online, allows applicants to schedule and re-schedule state examinations, and allows applicants to monitor the status of their application without having to contact Board staff. While this new system initially helped to reduce the time it took for Board staff to review and process applications, a significant increase in the volume of new applications received, especially in the civil engineering discipline, in the last few years has had an impact on the Board's ability to review the applicants in the time frames it has established. The Board has redirected resources to provide further staff to review these applicants and is making progress in reducing the backlog. More information regarding this issue is available in Sections 1 and 3 of this report.

ISSUE #3: Does the new test for determining employment status, as prescribed in the court decision *Dynamex Operations West Inc. v. Superior Court*, have any potential implications for licensees of the Board working as independent contractors?

In 2018-2019, the Committees requested that the Board advise them on what impact, if any, the *Dynamex* decision would have on the Board and its licensees. In response to the Committees' request, the Board reviewed and discussed the *Dynamex* decision at its April 2019 Board meeting. At that time, based on a review of the decision and the Board's operations, it did not appear that the decision would have an impact on the Board's operations. This has proven to be true over the last few years.

ISSUE #4: Why are the Board's enforcement timeframes increasing?

In 2018-2019, the Committees requested that the Board advise them on where it believes the bottlenecks are in its investigation and disciplinary process, in addition to any backlog with the Division of Investigation (DOI), what viable solutions would be to address the backlogs, and what additional steps the Board had taken to increase productivity between

DOI and the Board what assistance the Committees might be able to provided. At the time, the Board responded by describing the steps it had taken to reduce the time it takes to investigate complaint cases through additional staffing and concerted efforts to improve efficiency while still maintaining the integrity of its investigations, including its interactions with DOI.

The Board is continuing to work on reducing its enforcement timeframes. More information about the efforts are described in Section 4 – Enforcement Program of this report.

#### ISSUE #5: What is the Board doing to counteract unlicensed activity?

In 2018-2019, the Committees requested that the Board advise them on its ongoing efforts to combat unlicensed activity and what outreach efforts have been pursued to education unlicensed operators. At the time, the Board responded by describing the efforts it was taking to counteract unlicensed activity, including outreach to licensed and unlicensed individuals and governmental agencies.

The Board is continuing to work on counteracting unlicensed activities, including meeting with professional associations to discuss their concerns with unlicensed activity and ways in which licensees can assist the Board in addressing such activities. More information about the efforts are described in Section 4 – Enforcement Program of this report.

#### ISSUE #6: What is the status of BreEZe implementation by the Board?

In 2018-2019, the Committees requested that the Board describe the status of its BreEZe implementation. As the Board noted at the time, the Board is not utilizing BreEZe because it is one of 19 boards and bureaus in the former Release 3 implementation of BreEZe that were removed from the BreEZe project entirely in 2015.

The Board was included as one of the programs in the Department's Business Modernization Cohort 1. A new online application and licensing system, known as BPELSG Connect, has been developed and launched as part of this effort. Applicants for licensure now submit their applications and schedule examinations through the online portal. Licensees are able to renew their licenses online. Both applicants and licensees have the ability to update their addresses and verify their application and license status through BPELSG Connect. In addition, complaints are also able to be submitted online through the BPELSG Connect system. This system is described in more detail in the previous sections of this report. More information regarding the BPELSG Connect system is available in several other sections of this report.

#### ISSUE #7: Is there a need for technical cleanup?

Since the last Sunset Review, legislation has been enacted to standardize and provide technical clean-up of various provisions in the Professional Engineers Act, the Geologist and Geophysicist Act, and the Professional Land Surveyors' Act. This legislation is

summarized in Section 1 – Background and Description of the Board and Regulated Profession, All Legislation Sponsored by the Board and Affecting the Board Since the Last Sunset Review. Other clean-up legislation identified by the Board is addressed under Section 11 – New Issues.

ISSUE #8: Should the licensing and regulation of professional engineers, land surveyors, and geologists be continued and be regulated by the current Board membership?

Legislation enacted in 2020 (AB 1522 (Low), Chapter 630, Statutes of 2019) continued the regulation of professional engineers, land surveyors, geologists, and geophysicists by the Board for another four years. The Board believes the information contained in this report supports the continued operation of the Board.



## NEW ISSUES

# SECTION 11



## Section 11 – New Issues

The Board has identified four new issues to address with the Committees. These issues are described below, along with any action needed to address them.

### **FIRST NEW ISSUE – TECHNICAL, CLEAN-UP LEGISLATION**

In accordance with Strategic Plan Goal 3 to ensure that statutes strengthen and support the Board's mandate and mission, Board staff continuously reviews the laws to determine if any technical, clean-up changes need to be made. The following are the sections that have been identified as needing amendment or addition. The Board has specific language ready to provide to the Legislature to accomplish these changes.

Over the last five years, the Board has sponsored legislation or been included in omnibus legislation by the Senate Committee on Business, Professions and Economic Development to effect changes to the Professional Engineers Act, the Geologist and Geophysicist Act, and the Professional Land Surveyors' Act. As such, at the time of this report, there is only one section of the B&P Code that the Board believes needs to be changed. If other sections come to the Board's attention, they will be described in the Board's Response to the Sunset Review Background Paper.

#### Amend Section 130 of the Business and Professions Code

Section 130 needs to be amended to remove the name of the Board for Professional Engineers, Land Surveyors, and Geologists.

As part of the sunset review process and legislation in 2006, B&P Code § 6712 was amended to change the expiration date of the appointment terms of our Board Members from June 1 to June 30. (Ch. 658, Stats.2006 [SB 1476, Figueroa, as amended June 21, 2006]) Based on historical notes, it appears that the Board was supposed to be removed from the list in Section 130 at that time since the expiration date of the terms was being changed in the Professional Engineers Act. However, we are not able to find any information indicating that there was a specific reason why the Board was not removed from Section 130 at that time. We believe it was simply an oversight that was only recently discovered.

The appointing authorities (Governor, Speaker of the Assembly, and Senate Rules Committee) are all aware that our Board Member terms end on June 30, and that is the date listed in appointment and other personnel documents when someone is appointed or reappointed to the Board. Therefore, the appointing authorities should have no issues with the removal of the Board from the list in Section 130.

We believe the Board should be removed from Section 130 to conform with existing statutes as well as to avoid any confusion that might arise by having two sections listing different expiration dates.

## **SECOND NEW ISSUE – CONTINUING EDUCATION**

During the Board's discussion on the recently adopted 2022-27 Strategic Plan, the Board established an objective to develop a strategy for implementing a continuing education requirement to help licensees maintain and improve their professional knowledge and awareness of new, pertinent laws. Subsequent Board discussions have centered on the establishment of a committee (represented by two board members and Board's executive leadership) to identify steps for evaluating the feasibility of such an implementation for its regulated licensees and to provide recommendations to the Board. The committee is currently in the early stages of gathering data from similar licensing boards across the nation and the professional communities within California.

At this time, there is no action the Board is asking the Committees to take on this issue. As indicated, the Board has just begun looking into this issue but wanted to bring it to the Committees' attention. Should the Board choose to move forward with such a program in the future following its in-depth study, the Board would seek legislative support at that time.

## **THIRD NEW ISSUE – EXPERIENCE IN LIEU OF EDUCATION TO QUALIFY FOR CERTIFICATION OR LICENSURE AS A GEOLOGIST-IN-TRAINING, PROFESSIONAL GEOLOGIST, AND PROFESSIONAL GEOPHYSICIST**

Over the last several years, the Board has made changes to its statutes and regulations relating to the approved educational course work required to obtain certification or licensure as a Geologist-in-Training, Professional Geologist, or Professional Geophysicist. While the changes have been helpful to applicants and Board reviewers, it appears that there are still issues with the educational requirements that prevent otherwise qualified individuals from obtaining licensure.

For example, one of the requirements is that applicants complete a specified number of semester or quarter hours in field course work. However, during the pandemic, most field courses were cancelled by the universities or were converted to online lecture-type courses, which do not meet the requirements of the Board's regulations for a field course. Based on anecdotal information from inquiries the Board has received, this is preventing people from obtaining licensure. In addition, with changes in the educational requirements over time, individuals who may have completed their course work many years ago but are just now applying for licensure may no longer qualify.

While education is a required component for certification or licensure as a Geologist-in-Training, Professional Geologist, or Professional Geophysicist, it is not required for certification or licensure as an Engineer-in-Training, Professional Engineer, Land Surveyor-in-Training, or Professional Land Surveyor. They may use educational credit in lieu of some of the required work experience. The Board plans to study this issue over

the next few years to determine if geologist and geophysicist applicants should be able to substitute work experience for some of the required educational components.

At this time, there is no action the Board is asking the Committees to take on this issue. As indicated, the Board has just begun looking into this issue but wanted to bring it to the Committees' attention. Should the Board choose to move forward with such a proposal in the future following its in-depth review, the Board would seek legislative support at that time.

#### **FOURTH NEW ISSUE – ENGINEERING COUNCIL OF THE UNITED KINGDOM MUTUAL RECOGNITION AGREEMENT**

Recent trade discussions between U.S. President Joe Biden and U.K. Prime Minister Rishi Sunak resulted in the signing of the Atlantic Declaration for a Twenty-First Century U.S.-U.K. Economic Partnership, which includes efforts to improve mutual recognition in areas that include engineering. A White House Briefing Room Statement and Release regarding this Declaration is available at the link below.

<https://www.whitehouse.gov/briefing-room/statementsreleases/2023/06/08/the-atlantic-declaration-a-framework-for-a-twenty-first-century-u-s-uk-economic-partnership/>

As a result, the National Council of Examiners for Engineering and Surveying (NCEES) and the Engineering Council in the United Kingdom (ECUK) are beginning work to develop a mutual recognition agreement (MRA) that will provide a more direct path for US-based licensed engineers to practice in the UK and UK-based chartered engineers to practice in selected US states. <https://ncees.org/ncees-and-uk-engineering-council-begin-work-to-develop-mutual-recognition-agreement/>.

The Professional Engineers Act (specifically, BPC § 6741) provides:

*The board shall establish relations with bodies that regulate the practice of professional engineering, or closely related professions, or that register or license professional engineers in other states, and may establish relations with those bodies in other countries, for the purposes of working toward uniformly high professional standards and mutual recognition of registration and licensure.*

In light of this requirement in its laws, the Board has been in contact with representatives from the British Embassy regarding the licensure as a professional engineer in California. The Board has recently received a formal “Delegation of US Engineering State Boards” invitation to participate in a sponsored visit scheduled for February 2024 to meet with the ECUK and UK Government officials for the purposes of learning more about the UK’s engineering sector and licensure process. At its December 14, 2023, meeting, the Board voted to committing to explore this effort based on the information known at this time, to accept the invitation to participate in the sponsored visit, and to delegate Civil Engineer Board Member Rossana D’Antonio and

Executive Officer Richard B. Moore to represent the Board during the visit, pending out-of-country travel approval by the Office of the Governor.

At this time, there is no action the Board is asking the Committees to take on this issue. The Board is actively monitoring the development of this MRA between NCEES and ECUK in an effort to ensure that the licensing protections of California consumers are sufficiently addressed while the Board considers its options in terms of participation and mutual recognition of license requirements. Should the Board choose to move forward with active participation in the future following its evaluation, the Board would seek any necessary legislative or regulatory support at that time.

## ATTACHMENTS

# SECTION 12





## Section 12– Attachments

Please provide the following attachments:

- A. Board’s administrative manual.  
*Board Member Manual*  
[NOTE: Not included in Word version; see PDF version.]
- B. Current organizational chart showing relationship of committees to the board and membership of each committee (cf., Section 1, Question 1).  
[NOTE: Not included in Word version; see PDF version.]
- C. Major studies, if any (cf., Section 1, Question 4).  
*Strategic Plan with Mission and Vision Statements*  
[NOTE: Not included in Word version; see PDF version.]
- D. Year-end organization charts for last four fiscal years. Each chart should include number of staff by classifications assigned to each major program area (licensing, enforcement, administration, etc.) (cf., Section 2, Question 15).  
[NOTE: Not included in Word version; see PDF version.]
- E. Provide each quarterly and annual performance measure report for the board as published on the DCA website.  
*Licensing Performance Measures*  
*Enforcement Performance Measures*  
[NOTE: Not included in Word version; see PDF version.]
- F. Provide results for each question in the board’s customer satisfaction survey broken down by fiscal year. Discuss the results of the customer satisfaction surveys.  
[NOTE: Included in both Word and PDF versions.]
- G. Table 1a. Board Member Attendance. [Section 1]  
[NOTE: Not included in Word version; see PDF version.]



# ATTACHMENT A





# Board for Professional Engineers, Land Surveyors, and Geologists

## Board Member Manual



Board for Professional Engineers, Land  
Surveyors, and Geologists  
2535 Capitol Oaks Drive  
Sacramento, CA 95833  
(916) 999-3600



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**1. THE BOARD – GENERAL  
INFORMATION**

- 2022 – 2027 Strategic Plan
- History of the Board
- Classes of Regulation
- Disciplines of Licensure with Abbreviations





# Board for Professional Engineers, Land Surveyors, and Geologists Strategic Plan 2022 – 2027

**Prepared by:**

SOLID Planning Solutions

Department of Consumer Affairs

Revised November 6, 2023

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## Members of the Board

Michael Hartley, Land Surveyor Member, Board President

Christina Wong, Public Member, Board Vice President

Fel Amistad, Public Member

Alireza Asgari, Structural Engineer Member

Rossana D'Antonio, Civil Engineer Member

Cristina "Tina" Garcia, Public Member

Coby King, Public Member

Guillermo Martinez, Electrical Engineer Member

Elizabeth "Betsy" Mathieson, Geologist Member

Frank Ruffino, Public Member

Wilfredo Sanchez, Public Member

Fermin Villegas, Public Member

Christina Wong, Public Member

Gavin Newsom, Governor

Lourdes M. Castro Ramírez, Secretary, Business, Consumer Services, and Housing Agency  
Kimberly Kirchmeyer, Director, Department of Consumer Affairs

Richard B. Moore, Executive Officer, Board for Professional Engineers, Land Surveyors, and Geologists



## Message from the Board President

This new strategic plan is being published at an exciting time for the Board. During the strategic planning process (described in the final section of this document) the Board reflected upon and responded to recent changes in society and technology as well as in its regulated professions.

We are 2-1/2 years into the global COVID-19 pandemic, having adapted to circumstances by implementing changes such as temporary teleworking for Board staff and holding two years of Board meetings via an online hosting platform that allows remote participation by Board members, staff, guests, and the public.

Increased recognition of the importance of diversity, equity, and inclusion of underserved communities led to the expansion of the Board's list of Values and the development of some important new Objectives.

The Board's ongoing rollout of its new online application/licensing portal, Connect, facilitated development of several Objectives designed to meet needs identified during internal and external surveys conducted early in the strategic planning process.

This strategic plan is but one example of the Board's incorporating input from various stakeholders. I encourage every licensee to respond to Board surveys such as the periodic job analysis surveys for exam development. I also encourage all individuals to take advantage of opportunities to provide feedback to the Board. That input will increase the Board's effectiveness in meeting the Goals described in this strategic plan and will further protection of the public.

## About the Board

- 1891
  - Licensing for land surveyors (first in nation) was enacted on March 31, 1891 by the Legislature, which also established the State Surveyor General.
- 1920s
  - The Board was created by the Legislature. Registration was for civil engineers only.
- 1930s
  - Structural Engineer license was added by the Legislature.
  - State Surveyor General's office was abolished and Land Surveyor licensing authority was transferred to the Board by the Legislature.
- 1940s
  - The Legislature added restrictions on use of engineering titles (this began the creation of the "title acts") for the branches of professional engineering in the fields of chemical, electrical, mechanical, and petroleum engineering.

- 1960s
  - The Legislature added restrictions on use of engineering titles for the branch of metallurgical engineering.
  - The Legislature added restrictions on the practices of electrical and mechanical engineering (change in status from “title act” to “practice act”) and on use of engineering titles for the branch of industrial engineering.
  - The Legislature delegated authority to the Board to create new title acts.
  - The Legislature created the Board of Registration for Geologists under the Geologist Act to regulate the practice of geology.
- 1970s
  - The first Professional Geologist license and the first Certified Engineering Geologist title authority license were issued.
  - Professional Geophysicist licensure and regulation of the practice of geophysics were added by the Legislature.
  - The Board held hearings and created nine additional title act branches of engineering: agricultural, control systems, corrosion, fire protection, manufacturing, nuclear, quality, safety, and traffic.
- 1980s
  - The Geotechnical Engineer license was added by the Legislature.
  - The Board’s authority to create new title act branches of engineering was eliminated by the Legislature at the Board’s request.
  - The requirement for testing of all civil engineering applicants on engineering surveying principles and seismic principles was added by the Legislature.
- 1990s
  - The Legislature created the sunset review process for all licensing boards under the Department of Consumer Affairs.
  - The Board adopted regulations to create the title authority license of Certified Hydrogeologist for Professional Geologists.
- 2000s
  - Laws requiring licensees to execute written contracts for professional services were enacted.
  - Legislation was enacted that eliminated the Board for Geologists and Geophysicists and transferred all of the duties, powers, purposes, responsibilities, and jurisdiction to regulate the practices of geology and geophysics to the Board for Professional Engineers and Land Surveyors.
- 2010s
  - Effective January 1, 2011, the name of the Board was changed to the Board for Professional Engineers, Land Surveyors, and Geologists.



- The Board began administering its state-specific licensing examinations via computer-based testing (CBT).
  - The Board implemented online licensure renewals via credit card payment.
  - The Legislature authorized the Board to collect fingerprints from applicants for the purpose of a criminal history record check to further its mission of public protection.
  - The Board conducted a review of its operational processes and procedures and, based on that review, reorganized into four functional units: Administrative Services, Enforcement, Examination Development, and Licensing.
  - The Board transitioned all eight of its state-specific licensing examinations to computer-based testing (CBT) format, allowing for more testing opportunities.
- 2020s
  - Working with a vendor and the Department of Consumer Affairs' Office of Information Services, the Board developed and launched its BPELSG Connect system, a licensing and enforcement monitoring system that allows submission of applications, renewals, and complaints through an online portal.

## Significant Accomplishments

The Board has achieved the following accomplishments related to the objectives in its July 27, 2017, Updated Strategic Plan:

**Objective 1.1** Develop and implement an integrated licensing and enforcement case management system.

Status – The Board conducted a Business Process Improvement Study, then retained a vendor to implement a Business Modernization Project including a newly acquired integrated software system to manage workflows across all units of operation within the Board. The resulting online application/licensing portal, BPELSG Connect, includes license application, renewal, and enforcement case management modules. The first phase went live in late 2020, facilitating online applications and application status tracking for engineer-in-training and land surveyor-in-training, and online submittal of complaints to the Board’s Enforcement Unit. Subsequent phases included additional applications for other licenses and payment for license renewal, and payment for state-specific exams and notification of exam results. The Board’s speed and success in implementing its Business Modernization Project has received acclaim from DCA, and license applicants have provided overwhelmingly positive feedback about their experience submitting an application on the platform.

**Objective 2.1** Monitor and report annually whether national exams continue to meet California’s licensing requirements.

Status –The Board monitors national exam results and trends. Board members and staff are actively involved with NCEES and ASBOG examination development and oversight committees. The Board’s Executive Officer continues to encourage Board members and staff to maintain involvement with NCEES and ASBOG.

**Objective 3.2** Proactively monitor and clarify as needed laws and regulations.

Status – Board staff continuously monitors the laws and regulations under the Board’s jurisdiction to ensure they are clear, appropriate, and relevant and recommends additions, amendments, or repeals as needed.

**Objective 5.1** Communicate enforcement actions on an ongoing basis on the Board website as soon as feasible.

Status – Accusations against licensees are posted in the License Lookup section of the Board’s website once they are filed and served on the respondent (licensee). Final disciplinary decisions are posted on the website once they become final and effective.

**Objective 5.2** Maintain and expand as necessary the Board’s social media presence.

Status – As reported quarterly, the responses to the Board’s Facebook posts and Twitter tweets indicate the Board’s social media presence is reaching licensees.

**Objective 5.3** Report annually to the Board the steps taken to educate university administrators and students about the importance of licensure.

Status – Board staff provides quarterly reports on the Board’s extensive outreach program to college and university academic staff and students. This outreach emphasizes the importance of, and paths to, licensure. Outreach presentations are usually done in-person on campus but may also be done as virtual/remote presentations.

# Mission, Vision, and Values

## Our Mission

We protect the public's safety and property by promoting standards for competence and integrity through licensing and regulating the Board's professions.

## Our Vision

A safe and resilient California with confidence in the integrity and work of the Board's licensed professionals.

## Our Values

- Accountability
- Competence
- Consumer Protection
- Equity
- Fairness
- Integrity
- Professionalism

## Goal 1: Licensing

*The Board protects the public by licensing qualified individuals who provide professional services in California.*

Objectives:

- 1.1 Improve communication to licensees to ensure they are engaged and up to date on regulations and policies.
- 1.2 Continue rollout and enhancement of the Connect system to improve interactions with licensees.
- 1.3 Develop a strategy to implement a continuing education requirement to help licensees maintain and improve their professional knowledge and awareness of new, pertinent laws.
- 1.4 Implement a renewal assessment to promote better informed licensees regarding relevant laws and regulations.

## Goals 2: Applications and Examinations

*The Board processes applications and administers examinations in a timely and accessible manner to determine individuals' qualifications for licensure.*

Objectives:

- 2.1 Improve communication to applicants to educate them on application and examination requirements, the Connect system, and the licensing process.
- 2.2 Offer applicants current status updates in the Connect system as a way of checking the status of their application online and reducing the need for applicants to call the Board.
- 2.3 Continue rollout and enhancement of the Connect system to streamline applications and the exam scheduling process.
- 2.4 Update and maintain the list of frequently asked questions and appropriate answers to enable applicants to submit a complete application package and improve staff efficiency.
- 2.5 Educate prospective references that their opinion of an applicant's readiness for licensure is as important as passing an exam to provide additional verification of the applicant's qualifications.
- 2.6 Advocate for national exam and state exam standards to maintain their high quality and which reflect the knowledge and skills needed in the profession(s) to accurately measure applicants' qualifications to practice in California.
- 2.7 Keep licensure requirements and exams relevant and fair to competent applicants with varied education and experience to increase diversity in the professions, leading to an increase in the number of licensees.
- 2.8 Increase the visibility of application processing timeframes on the website to inform Board members, licensees, and consumers of the Board's performance.

## Goal 3: Laws and Regulations

*The Board strives to ensure that statutes, regulations, policies, and procedures strengthen and support its mandate and mission.*

Objectives:

- 3.1 Collaborate with the Department of Consumer Affairs and the California Business, Consumer Services and Housing Agency on the timeline for approval of regulations to facilitate timely implementation of changes.
- 3.2 Develop a mentorship or succession plan to provide staff with continuity of knowledge and skills related to the legislative and rulemaking processes.
- 3.3 Anticipate the need for new legislation, recruit potential sponsors for bills, and respond to bills that have an effect on the Board's ability to protect the public in an effort to ensure statutes are relevant and to support the Board's mission.
- 3.4 Develop and promote new regulations as necessary to implement statutory authority and to keep Board policies and procedures consistent and relevant across all the professions.
- 3.5 Improve communication to licensees to ensure that they are kept aware of changing laws and regulations.
- 3.6 Promote legislation to increase and collect penalties for unlicensed practice to provide effective deterrents.

## Goal 4: Enforcement

*The Board strives to protect the public by enforcing the laws and regulations governing the Board's professions.*

Objectives:

- 4.1 Continue development and refinement of the Connect system's enforcement module to increase the efficiency of complaint submittal, respondent contact, case-tracking, and reporting of case status.
- 4.2 Improve education to applicants and licensees of common violations that could lead to disciplinary action to reduce violations and increase understanding of requirements.
- 4.3 Work with law enforcement and other appropriate government agencies to enforce penalties to provide effective deterrents to unlicensed practice.
- 4.4 Continue to reduce investigation timelines to streamline enforcement against violators and be responsive to complainants.
- 4.5 Educate other governmental entities about unlicensed practice to minimize risk to the public and increase effectiveness of enforcement actions against unlicensed individuals.
- 4.6 Develop a plan for recruitment, training, and retention of expert consultants to improve the quality and consistency of case reviews.



## Goal 5: Outreach

*The Board promotes the importance of licensure to educate applicants, licensees, the public, and other stakeholders about the practice and regulation of the professions.*

Objectives:

- 5.1 Solicit feedback from applicants, licensees, complainants, respondents, consumers, and staff to gauge the Board's success in meeting its goals and to receive suggestions for improvement.
- 5.2 Increase outreach to students through innovative tools and social media platforms to increase interest in the professions, recognition of the importance of licensure, understanding of requirements, and awareness of the Board's activities.
- 5.3 Explore and implement additional means of outreach on social media, including advertising, to increase interest in the professions, recognition of the importance of licensure, understanding of requirements, and awareness of the Board's activities.
- 5.4 Increase public awareness of the Board's functions and services so the public knows how to submit complaints and can use the Board as a resource.
- 5.5 Disseminate information on licensure and engage in outreach to underrepresented populations to increase diversity among the professions.
- 5.6 Collaborate with the Department of Consumer Affairs to provide information to the public such that complainants are aware of how to properly file a complaint, understand the complaint process, and obtain awareness of the result of their complaints.

## Goal 6: Customer Service and Administration

*The Board continuously works to improve efficiency and quality of its services.*

Objectives:

- 6.1 Provide customer service training to staff on a periodic basis to reinforce the importance of serving the public.
- 6.2 Develop a mentorship or succession plan for all management positions to provide continuity of knowledge.
- 6.3 Assess and administer, where appropriate, technological developments that improve process efficiencies to better serve applicants, licensees, and the public.
- 6.4 Create an onboarding program for the Board members to educate them on the Board's regulated professions, policies, and procedures to increase the Board members' effectiveness and confidence.
- 6.5 Evaluate customer service complaints to find patterns related to the sources and types of complaints to implement changes where needed.

## Strategic Planning Process

To understand the environment in which the Board operates and to identify factors that could impact the Board's success, the California Department of Consumer Affairs' SOLID Planning Unit (SOLID) conducted an environmental scan of the internal and external environments by collecting information through the following methods:

- Interviews were conducted with twelve members of the Board, as well as the Executive Officer, and five members of Board management. These interviews were completed during the months of August and September 2021.
- An online survey was posted on the Board website and sent to a Listserv of external Board stakeholders in August 2021. Six hundred and twenty-three stakeholders completed the survey.

The most significant themes and trends identified from the environmental scan were discussed by the Board members and the Executive Officer during a strategic planning session facilitated by SOLID on January 10, 2022. This information guided the Board in the review of its mission, vision, and values while directing the development of the strategic goals and objectives outlined in this new strategic plan.

**Board for Professional Engineers, Land Surveyors, and Geologists**

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Sacramento, CA 95833-2944

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[www.bpelsg.ca.gov](http://www.bpelsg.ca.gov)

Strategic plan adopted on March 7, 2022.

This strategic plan is based on stakeholder information and discussions facilitated by SOLID for the Board for Professional Engineers, Land Surveyors, and Geologists on January 10, 2022. Subsequent amendments may have been made after the adoption of this plan.



Prepared by:

**SOLID Planning Solutions**

1747 N. Market Blvd., Ste. 270

Sacramento, CA 95834

# HISTORY OF THE BOARD

- 1891
  - Licensing for land surveyors (first in nation) was enacted on March 31, 1891 by the Legislature, which also established the State Surveyor General.
- 1920s
  - The Board was created by the Legislature. Registration was for civil engineers only.
- 1930s
  - Structural Engineer license was added by the Legislature.
  - State Surveyor General's office was abolished and Land Surveyor licensing authority was transferred to the Board by the Legislature.
- 1940s
  - The Legislature added restrictions on use of engineering titles (this began the creation of the "title acts") for the branches of professional engineering in the fields of chemical, electrical, mechanical, and petroleum engineering.
- 1960s
  - The Legislature added restrictions on use of engineering titles for the branch of metallurgical engineering.
  - The Legislature added restrictions on the practices of electrical and mechanical engineering (change in status from "title act" to "practice act") and on use of engineering titles for the branch of industrial engineering.
  - The Legislature delegated authority to the Board to create new title acts.
  - The Legislature created the Board of Registration for Geologists under the Geologist Act to regulate the practice of geology.
- 1970s
  - The first Professional Geologist license and the first Certified Engineering Geologist title authority license were issued.
  - Professional Geophysicist licensure and regulation of the practice of geophysics were added by the Legislature.
  - The Board held hearings and created nine additional title act branches of engineering: agricultural, control systems, corrosion, fire protection, manufacturing, nuclear, quality, safety, and traffic.
- 1980s
  - The Geotechnical Engineer license was added by the Legislature.
  - The Board's authority to create new title act branches of engineering was eliminated by the Legislature at the Board's request.
  - The requirement for testing of all civil engineering applicants on engineering surveying principles and seismic principles was added by the Legislature.
- 1990s
  - The Legislature created the sunset review process for all licensing boards under the Department of Consumer Affairs.
  - The Board adopted regulations to create the title authority license of Certified Hydrogeologist for Professional Geologists.
- 2000s
  - Laws requiring licensees to execute written contracts for professional services were enacted.
  - Legislation was enacted that eliminated the Board for Geologists and Geophysicists and transferred all of the duties, powers, purposes, responsibilities, and jurisdiction to regulate the practices of geology and geophysics to the Board for Professional Engineers and Land Surveyors.
- 2010s
  - Effective January 1, 2011, the name of the Board was changed to the Board for Professional Engineers, Land Surveyors, and Geologists.
  - The Board began administering its state-specific licensing examinations via computer-based testing (CBT).
  - The Board implemented online licensure renewals via credit card payment.
  - The Legislature authorized the Board to collect fingerprints from applicants for the purpose of a criminal history record check to further its mission of public protection.
  - The Board conducted a review of its operational processes and procedures and, based on that review, reorganized into four functional units: Administrative Services, Enforcement, Examination Development, and Licensing.

- The Board transitioned all eight of its state-specific licensing examinations to computer-based testing (CBT) format, allowing for more testing opportunities.

- 2020s

- Working with a vendor and the Department of Consumer Affairs' Office of Information Services, the Board developed and launched its BPELSG Connect system, a licensing and enforcement monitoring system that allows submission of applications, renewals, and complaints through an online portal.

## **Classes of Regulation**

### A. Title Authorities (Geotechnical and Structural Engineers):

1. Require previous registration as a civil engineer, and
2. Require additional experience beyond what is necessary to qualify for the civil engineer registration, and
3. Require the passing of an additional examination beyond that required to obtain registration as a civil engineer.
4. Use of titles is all that is restricted by the P.E. Act, but other laws limit certain activities to persons holding these authorities.

### B. "Practice Act" professional engineers (Civil, Electrical, and Mechanical):

1. With certain exceptions, a person must be registered *in one* of these branches of professional engineering in order to practice in that field of engineering.
2. Exceptions (exemptions) from the requirement to be registered in order to practice in these identified branches are available under certain conditions to architects, civil engineers, contractors, federal employees, and employees of public utilities and industrial corporations.
3. In spite of the above exceptions, use of the title of each such branch of engineering is restricted to persons who are properly registered.

### C. "Title Act" professional engineers (Agricultural, Chemical, Control System, Fire Protection, Industrial, Manufacturing, Metallurgical, Nuclear, Petroleum, and Traffic Engineers):

1. Except where it falls within an area covered by a practice act, the practice of engineering covered by each of these branches of engineering is not regulated and may be performed by anyone.
2. In spite of the fact that the practice of each of the above named branches of engineering is essentially unregulated, the use of the title of each such branch is restricted to persons who are properly registered.
3. Even though not regulated by state law, the practice in some of the above branches is limited by local authorities to persons appropriately registered.





## DISCIPLINES OF LICENSURE WITH ABBREVIATIONS

### License Types

<b>AG</b>	Agricultural Engineer
<b>C</b>	Civil Engineer
<b>CEG</b>	Certified Engineering Geologist
<b>CH</b>	Chemical Engineer
<b>CHG</b>	Certified Hydrogeologist
<b>CO</b>	Consulting Engineer
<b>CR</b>	Corrosion Engineer
<b>CS</b>	Control System Engineer
<b>E</b>	Electrical Engineer
<b>EG</b>	Certified Engineering Geologist
<b>FP</b>	Fire Protection Engineer
<b>GE</b>	Geotechnical Engineer (Soil or Soils Engineer)
<b>GEO</b>	Geologist
<b>GIT</b>	Geologist-in-Training
<b>GP</b>	Geophysicist
<b>HG</b>	Certified Hydrogeologist
<b>I</b>	Industrial Engineer
<b>L</b>	Land Surveyor
<b>M</b>	Mechanical Engineer
<b>MF</b>	Manufacturing Engineer
<b>MT</b>	Metallurgical Engineer
<b>NU</b>	Nuclear Engineer
<b>P</b>	Petroleum Engineer
<b>PG</b>	Professional Geologist
<b>PGP</b>	Professional Geophysicist
<b>PS</b>	Photogrammetrist (Photogrammetric Surveyor)
<b>Q</b>	Quality Engineer
<b>S</b>	Structural Engineer
<b>SF</b>	Safety Engineer
<b>TR</b>	Traffic Engineer



## **2. OPERATING PROCEDURES**

- The Board's Operating Procedures
- Bagley-Keene Open Meeting Act



# **BOARD OPERATING PROCEDURES**



**Board for Professional Engineers,  
Land Surveyors, and Geologists**

Adopted April 21, 2017

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## **ARTICLE I: BOARD OPERATING PROCEDURES**

### **1.0 PRIORITY OF LAWS AND OPERATING PROCEDURES**

- 1.0.1 All state laws and their associated regulations (e.g., the Bagley-Keene Open Meeting Act (Government Code section 11120, et seq.), the Professional Engineers Act (Business and Professions Code section 6700, et seq.)) govern the actions and procedures of the Board and its Committees or Work Groups for all meetings and take precedence over the Board Operating Procedures in case of any conflict.
- 1.0.2 The Board Operating Procedures will govern the actions to be taken by the Board and its Committees or Work Groups, with the exception of the Technical Advisory Committees, which shall be governed by the Technical Advisory Committees Operating Procedures. If a situation is not covered by the Board Operating Procedures, Robert's Rules of Order will govern the actions to be taken by the Board and its Committees or Work Groups.

### **1.1 SUSPENSION OF AN OPERATING PROCEDURE**

- 1.1.1 Any operating procedure of the Board may be suspended temporarily by a majority of the members present, provided that such temporary suspension shall apply only to the matter under immediate consideration and in no case shall it extend beyond adjournment.

### **1.2 AMENDMENT TO THE BOARD OPERATING PROCEDURES**

- 1.2.1 The Board Operating Procedures may be amended at a scheduled meeting of the Board by a majority of the members present, provided that the proposed amendment(s) has been placed on the agenda.

## **ARTICLE II: BOARD PRESIDENT AND VICE PRESIDENT**

### **2.0 SELECTION OF BOARD PRESIDENT, VICE PRESIDENT, AND TEMPORARY PRESIDENT**

- 2.0.1 The nomination for and selection of the Board President and Vice President shall be accomplished by the last scheduled meeting of each fiscal year.
- 2.0.2 The method of selection for the Board President and Vice President shall be by nomination from the members of the Board. The Board President may appoint a Nominating Committee to recommend to the Board a proposed Board President and Vice President. Members of the Board may suggest names to the Nominating Committee. Nominations from the floor shall also be accepted.

- 2.0.3 The terms for the Board President and Vice President shall be for a period of one year commencing July 1.
- 2.0.4 During the absence of the Board President, the Vice President shall preside, and, in the event that both the Board President and Vice President are absent, the members present shall select a member as Temporary President.
- 2.0.5 In the event that the office of the Board President and/or Vice President becomes vacant, the members present shall elect from its members to complete the term(s) of office.

## **2.1 ROLE OF BOARD PRESIDENT**

- 2.1.1 The Board President is considered to be an active participant in all Board matters. As such, the Board President may make or second motions and may vote on any motion.
- 2.1.2 The duties of the Board President are as follows:
  - a) Presiding over Board meetings as Chairperson and facilitating the process whereby the Board accomplishes its business.
  - b) Publicly representing the Board on policies made and actions taken by the Board and other factors affecting the Board.
  - c) Appointing members of the Ad Hoc Committees and work groups; Board Member liaisons to the Technical Advisory Committees; and representatives to NCEES and ASBOG meetings. [See 4.0.1, 4.1.1, 4.2.5, and 5.1.1 through 5.1.4.]
  - d) Approving public agenda notices for Board meetings.
  - e) The Board President shall schedule at least one annual performance appraisal of the Executive Officer at a Board meeting.
  - f) The Board President shall review and authorize the time sheets and travel claims of the Executive Officer.

## **2.2 ROLE OF BOARD VICE PRESIDENT**

- 2.2.1 The Vice President of the Board assumes the duties of the Board President in the full or temporary absence or temporary incapacitation of the Board President.



## **ARTICLE III: MEETINGS OF THE BOARD**

### **3.0 TIME AND PLACE OF BOARD MEETINGS**

- 3.0.1 Board meetings shall occur at times and places determined by the Board. As required by Business and Professions Code section 101.7, the Board shall hold at least three regular meetings each calendar year; at least one meeting shall be in northern California and at least one shall be in southern California.
- 3.0.2 Any meeting or session may be recessed or adjourned for cause, in accordance with the provisions of the Bagley-Keene Open Meeting Act, to any time or from time-to-time, when determined necessary by a majority of the Board or Committee for the expeditious transaction of business.

### **3.1 QUORUM**

- 3.1.1 Eight members of the Board shall constitute a quorum. Except as otherwise provided by law, the vote required for any action of the Board is a majority of the members present. No business shall proceed when the number of members present is reduced below a quorum with the exception of information items.

### **3.2 ROLL CALL**

- 3.2.1 A roll call to establish a quorum of members present shall be made at each Board meeting.

### **3.3 APPROVAL OF MINUTES**

- 3.3.1 The Executive Officer shall ensure that the Approval of the Minutes of each scheduled meeting are included in the agenda of the next scheduled meeting. The Minutes of the preceding meeting shall not be read at any Board meeting unless a member shall request it, but the Board President shall inquire whether there are corrections to the Minutes. Any member may make recommendations for corrections; however, no corrections shall be made unless approved by a majority vote of the members present.

### **3.4 BOARD MEETING NOTICE AND AGENDA**

- 3.4.1 The Executive Officer shall prepare and issue a notice and agenda for each scheduled meeting.
- 3.4.2 Matters not contained on the agenda for a scheduled meeting shall not be considered or discussed by the Board at that meeting except to decide if placement on a future agenda is appropriate.

- 3.4.3 Matters on the agenda for scheduled meetings which have not been considered and acted upon, or specifically continued to a subsequent meeting, shall be deemed continued to the next scheduled meeting as an agenda item.
- 3.4.4 The agenda shall specifically designate items thereon that are scheduled for reconsideration.
- 3.4.5 The agenda shall be approved by the Board President. [See 2.1.2(d).]
- 3.4.6 Any member of the Board or the Executive Officer shall be authorized to place items on the Board agenda. The Executive Officer shall have the authority to consider requests from a member of the public to place items on the Board agenda.
- 3.4.7 The agenda may include, but is not limited to, the following items:

Roll Call	Legislative Report
Public Comment	Licensing Report
Closed Session	Executive Officer's Report
Open Session to Announce the Results of Closed Session	Committee Reports
Action Items	President's Report/Board Member Activities
Administrative/Budget Report	Approval of Consent Agenda
Enforcement Report	Approval of the Minutes of a Previous Meeting
Examinations Report	Other Items Not Requiring Board Action
	Adjournment

### **3.5 PROCEDURES GOVERNING MOTIONS**

- 3.5.1 To make a motion, resolution, or any other call to action by the Board, a member must be recognized by the Board President. The member shall then state the motion, resolution, or call to action. Any other member may second the motion, resolution, or call to action. If there is no second, the motion, resolution, or call for action dies and shall be declared so by the Board President. If a second is declared, the matter is open for discussion or a call for a vote.
- 3.5.2 A motion, resolution, or any other call to action by the Board open for discussion may be amended any time prior to adoption or rejection by an amendatory motion made by any member. An amendatory motion may be in the form of a substitute motion so that it replaces the original motion and can be adopted with a majority vote or may be phrased as to amend the original motion. If the substitute motion fails to carry, the original motion shall be voted upon. If an amendment to the original motion is separately voted upon and is not adopted, the original motion shall then be voted upon. If the amendment is adopted, the original motion as amended shall then be voted upon.

- 3.5.3 A motion may be withdrawn by the maker at any time before adoption or rejection with the consent of the second. The second to a motion may be withdrawn by the seconding member at any time before adoption or rejection of the motion, and the motion shall then be deemed dead for lack of a second unless seconded by another member.
- 3.5.4 After a motion has been seconded, any member may discuss or comment on the motion. When no member wishes to add further comment, the Board President shall call for a vote. In the event of a prolonged discussion, a motion to end debate shall take precedence over further debate.
- 3.5.5 A motion to reconsider the vote may be made by any member who voted with the prevailing side. No question can be reconsidered twice unless it was amended after its first consideration. Such a motion may be made at the meeting at which it was acted upon or at the continued session of the same meeting.

### **3.6 VOTING**

- 3.6.1 The Board President may vote on any call for a vote.
- 3.6.2 Members must be present to vote and shall cast only one vote at each call for a vote.
- 3.6.3 Pursuant to the Bagley-Keene Open Meeting Act, all votes shall be done as roll call votes. The results shall appear in the minutes, with the total votes on each side of the issue or abstaining and a listing of how each member voted.

### **3.7 PUBLIC COMMUNICATION DURING BOARD MEETINGS**

- 3.7.1 The PUBLIC COMMENT items on Board meeting agendas are provided to allow members of the public to speak on any item(s) related to Board business.
- 3.7.2 During deliberation of an agenda item, public comment may be solicited and shall always be entertained.
- 3.7.3 The Board President may establish a reasonable time limit for public comment, consistent with the conduct of business.
- 3.7.4 The Board President may limit the time available for public comment on an item before the Board. Insofar as possible, the agenda will identify when public comment will be limited.

### **3.8 DISRUPTION OF BOARD MEETINGS**

- 3.8.1 In the event that a meeting of the Board is deliberately interrupted so as to prevent the Board from conducting business in a timely or orderly manner, the Board

President may, unless there is an objection by a majority of members present, order the offending person or persons to remove themselves or be removed from the meeting.

## **ARTICLE IV: COMMITTEES AND WORK GROUPS OF THE BOARD**

### **4.0 AD HOC COMMITTEES**

- 4.0.1 The Board President may appoint Ad Hoc Committees as he or she determines necessary for the orderly and timely conduct of the Board's business.
- 4.0.2 Ad Hoc Committees may be comprised of Board members, Board staff, consumers, professionals, or any combination thereof.
- 4.0.3 The President of the Board shall report the appointment of any Ad Hoc Committee and specify its purpose and objectives at a regularly scheduled Board meeting.
- 4.0.4 Ad Hoc Committees appointed by the President shall be deemed temporary in nature and shall cease to exist when the function or mission for which they were created is achieved or abandoned.
- 4.0.5 The Board shall review all Ad Hoc Committees annually to determine their effectiveness and rationale for continuance. Following these reviews, the Board shall determine whether to continue or discontinue these committees.
- 4.0.6 Ad Hoc Committees shall operate in accordance with the Bagley-Keene Open Meeting Act and these Operating Procedures as appropriate.

### **4.1 WORK GROUPS**

- 4.1.1 A work group is an informal body assembled at the discretion of the Board President to perform designated tasks. Work groups may be comprised of Board members, Board staff, consumers, professionals, or any combination thereof.

### **4.2 TECHNICAL ADVISORY COMMITTEES**

- 4.2.1 The Board may establish Technical Advisory Committees (TAC) to advise and assist the Board in accordance with the provisions of Sections 6726 through 6726.4 (engineering), Sections 7826 through 7826.4 (geology and geophysics), and Sections 8715 through 8715.4 (land surveying) of the Business and Professions Code.
- 4.2.2 The Board may have Technical Advisory Committees in any discipline as needed.

- 4.2.3 The Technical Advisory Committees shall advise and assist the Board with respect to the following:
- a) Application review and verification for any level of registration, licensure, authority, or title.
  - b) Evaluation and investigation of potential violations of the Acts.
  - c) Amendment, repeal, adoption, or revision of Board rules, regulations and procedures.
- 4.2.4 The Board shall establish Technical Advisory Committees only as it determines them necessary for the orderly and timely conduct of the Board's business.
- 4.2.5 The Board President shall designate two Board members to serve as Board liaisons to the TAC, one of whom shall be the corresponding professional member and one who is a public member. The professional member will be the senior representative and will make reports to the Board and recommendations on matters calling for Board action. The public member will report to the Board in the professional member's absence. All transactions between the TAC and the Board, and the Board and the TAC shall be through a Board liaison member.
- 4.2.6 The TACs shall operate in accordance with the Board Operating Procedures and the most current "Technical Advisory Committees Operating Procedures" as adopted by the Board.

## **ARTICLE V: OTHER ACTIVITIES OF THE BOARD**

### **5.0 MEMBER ATTENDANCE AT BOARD AND COMMITTEE MEETINGS**

- 5.0.1 Each Board member will agree to commit to make their best effort to attend three-quarters of the scheduled Board meetings and meetings of any Committees to which they are appointed. In the event that a member cannot attend a scheduled meeting, he or she will advise either the Board President, or the Committee chairperson, or the Executive Officer with as much advance notice as possible.
- 5.0.2 If a Board member cannot meet the Board's policy for attendance at meetings within a fiscal year, the member shall advise the appropriate appointing authority.

### **5.1 NCEES AND ASBOG REPRESENTATION**

- 5.1.1 The Board President shall appoint representatives from the Board membership and/or Board staff to attend the NCEES Annual and Western Zone meetings and the ASBOG Annual meetings.

- 5.1.2 In appointing representatives, priority shall be given to the Board President, the Vice President, and the Executive Officer.
- 5.1.3 As many members should be appointed by the Board President to represent the Board at NCEES and ASBOG meetings as are authorized by the Governor to attend.
- 5.1.4 The Board President may also appoint Associate Members and Emeritus Members to represent the Board at NCEES meetings.
- 5.1.5 All Board members may apply for membership on any of the committees, task forces, or other work groups as designated by NCEES or ASBOG.
- 5.1.6 Each Board member shall notify the Board President and the Executive Officer of application and acceptance of membership on NCEES or ASBOG committees, task forces, or other work groups.
- 5.1.7 The Board may recommend former Board members for appointment as NCEES Emeritus Members by formal motion and vote at any regularly-scheduled Board meeting.
- 5.1.8 The Board may recommend any staff member for appointment as NCEES Associate Members by formal motion and vote at any regularly-scheduled Board meeting.

## **5.2 RECOGNITION OF DEPARTING BOARD AND COMMITTEE/WORK GROUP MEMBERS**

- 5.2.1 A Board proclamation shall be presented to all Board members who served two full terms, as full terms are defined by statute.
- 5.2.2 The proclamation shall be presented at the last Board meeting of the Board member's second full term, prior to the Board member entering his or her grace period.
- 5.2.3 Letters of appreciation signed by the Board President, the Board Vice President, and the Executive Officer may be sent to any Board member who did not serve two full terms upon his or her departure from the Board.
- 5.2.4 Letters of appreciation signed by the Board member liaisons and the Executive Officer may be sent to Technical Advisory Committee members, Ad Hoc Committee members, and Work Group members upon the member's departure from the Committee or Work Group.

## **ARTICLE VI: PUBLIC COMMUNICATION WITH BOARD MEMBERS**

### **6.0 CONTACT BY MEMBERS OF THE PUBLIC**

- 6.0.1 If a Board Member is contacted by a member of the public (including licensees), the Board Member shall immediately advise the Executive Officer in order to determine the effect, if any, such contact may have on future actions of the Board as a whole or the Board Member individually.

### **3.3 APPOINTMENT, NATURE AND TERM OF COMMITTEES**

- 3.3.1 The President shall appoint the Chairs and members of the Standing and Special Committees from among the membership of the Board.
- 3.3.2 For the purpose of this rule, Special Committees appointed by the President as prescribed herein shall be deemed temporary in nature and shall cease to exist when the function or mission for which they were created is achieved or abandoned.
- 3.3.3 The President of the Board shall report the appointment of any Special committee and specify its purpose and objectives at a regularly scheduled Board meeting.
- 3.3.4 The Board shall review all Special Committees annually to determine their effectiveness and rationale for continuance. Following these reviews, the Board shall determine whether to continue or discontinue these committees.

### **3.4 DUTIES OF COMMITTEE CHAIRPERSONS**

- 3.4.1
  - a) Calling and cancellation of meetings;
  - b) Setting the committee agenda;
  - c) Presiding over committee meetings;
  - d) Presenting the recommendations of the committee to the Board in an appropriate and timely manner;
  - e) Facilitating adherence to the purposes and objectives of the committee in its deliberations and actions;
  - f) Ensuring that the minutes of all committee meetings are recorded and are accessible.

### **3.5 COMMITTEE NOTICES AND AGENDA**

- 3.5.1 The schedule of the committee meetings, and changes thereto, shall be approved by the Chairperson.
- 3.5.2 Each notice of a committee meeting and its agenda shall be approved by the Chairperson and distributed according to these rules and applicable law.
- 3.5.3 Items may be placed on committee agendas by the Board President, Board members, Committee members, or the Board's Executive Officer. The Executive Officer shall have the authority to consider requests from a member of the public to place items on the Committee agenda.



### **3.6 NCEES REPRESENTATION**

- 3.6.1 The Board President shall appoint representatives from the Board membership to attend the Annual and Western Zone meetings. The Board's NCEES liaison shall be a registered member.
- 3.6.2 The Board President, the Vice President, the NCEES liaison, and the Executive Officer will attend the NCEES annual and western zone meetings.
- 3.6.3 Alternates will be appointed by the Board President.
- 3.6.4 First alternates to attend NCEES meetings will be the immediate Past President and/or Standing Committee Chairperson(s). The second alternates will be the remaining Board members.
- 3.6.5 As many members should be appointed by the Board President to represent the Board at NCEES meetings as are authorized by the Governor to attend. Appointments will be made in accordance with Section 3.6.4.
- 3.6.6 All Board members may apply for membership on any of the NCEES standing committees.
- 3.6.7 Each Board member shall notify the Board President of application and acceptance of membership on NCEES committee(s).

## **ARTICLE IV: POLICIES FOR EXECUTIVE OFFICER**

### **4.0 TRAVEL, TIME SHEETS AND COMPENSATION**

- 4.0.1 The Board President shall review and authorize the travel claims of the Executive Officer.
- 4.0.2 The Board President shall review and authorize the time sheets of the Executive Officer.
- 4.0.3 The Executive Officer may accrue compensated time off only by Board Authority or the discretion of the President.



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## MEMORANDUM

<b>DATE</b>	February 6, 2017
<b>TO</b>	Executive Officers, Executive Directors, Registrar, Bureau Chiefs, Interested Parties
<b>FROM</b>	Doreathea Johnson, Deputy Director & Chief Counsel Legal Affairs Division
<b>SUBJECT</b>	<b>Public Meetings Bagley-Keene Open Meeting Act Guide</b>

The attached guide includes all statutory amendments to the Bagley-Keene Open Meeting Act, through January 1, 2017. Please disregard all previous guides to the Bagley-Keene Act, issued by the Legal Affairs Division.

There are three changes that took effect during 2016:

1. Section 11121 was amended to include the State Bar of California as a “state body” subject to the Bagley Keene Open Meeting Act (Act), commencing April 1, 2016. Accordingly, the State Bar is subject to the Act, notwithstanding the exclusion provided for in section 11121.1.
2. To ensure that non-English speakers have the same opportunity to address the state body during public comment when state bodies place a time limit on the time for public comment, section 11125.7 was amended, to require the state body to allow additional time for a member of the public, who uses a translator, unless the state body utilizes simultaneous translation equipment.
3. Section 11125.8 was amended, effective June 27, 2016, to provide that any hearings, conducted pursuant to section 13963.1 are conducted by the California Victim Compensation Board, and neither the applicant nor the applicant’s representative request that the hearing be open to the public, the applicant’s identity is not required to be placed on the notice, agenda, announcement or report. However, in such hearing, the board shall disclose that the hearing is being held pursuant to section 13963.1. This disclosure will satisfy the disclosure requirements of section 11126.3(a).

We hope that this document is helpful to you in answering questions you may have regarding the requirements of the Open Meeting Act. Please let us know if you have questions or suggestions for improvements to the guide.

cc: Awet Kidane, Director  
Jeff Mason, Chief Deputy Director  
Attorneys – Legal Affairs Division

# **GUIDE TO THE BAGLEY-KEENE OPEN MEETING ACT**

**(Includes Amendments through January 1, 2017)**

**Prepared by:**

**DIVISION OF LEGAL AFFAIRS  
Department of Consumer Affairs  
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# BAGLEY-KEEN OPEN MEETING ACT

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# **GUIDE TO THE BAGLEY-KEENE OPEN MEETING ACT (Includes Amendments through January 1, 2017)**

This guide is an update on the provisions of the public meetings law governing state agencies, officially called the Bagley-Keene Open Meeting Act. (Article 9 (commencing with Section 11120), Chapter 1, Part 1, Division 3, Title 2 of the Government Code). The Open Meeting Act closely parallels the Ralph M. Brown Act, which governs meetings of local government agencies. This guide includes all statutory changes through January 1, 2017. Please disregard all previous Guides to the Bagley-Keene Open Meeting Act (distributed prior to January 15, 2017) on this subject.

All statutory references are to the Government Code.

## **I. PUBLIC POLICY TO CONDUCT PEOPLE'S BUSINESS OPENLY**

Section 11120 sets forth the purpose of the law:

"It is the public policy of this state that public agencies exist to aid in the conduct of the people's business and the proceedings of public agencies be conducted openly so that the public may remain informed.

In enacting this article the Legislature finds and declares that it is the intent of the law that actions of state agencies be taken openly and that their deliberation be conducted openly.

The people of this state do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

This article shall be known and may be cited as the Bagley-Keene Open Meeting Act."

Each board has essentially three duties under the Open Meeting Act. First, to give timely and sufficient public notice of meetings to be held. Second, to provide an opportunity for public comment. Third, to conduct such meetings in open session, except where a closed session is specifically authorized. We use the terms "agency" and "board" to mean not only boards, but also commissions and any examining committees or boards within the jurisdiction of the Medical Board of California.

Section 11121 defines the "state body" that is subject to the Bagley Keene Act.

Unless specifically excluded by statute, a "state body" is defined as a state board, commission or similar multimember body of the state that is created by statute or required by law to conduct official meetings and every commission created by executive order; or a

board, commission committee or similar multimember body that exercises any authority, delegated to it by that state body; or an advisory commission, an advisory board, advisory committee, advisory subcommittee or similar multimember advisory body of a state body, if created by formal action of the state body or any member of the state body, and if the advisory body so created, consists of three or more persons. Effective April 1, 2016, the definition of "state body" was amended to include the State Bar of California, as described in Section 6001 of the Business and Professions Code. Notwithstanding subdivision (a) of section 11121.1, amended effective April 1, 2016, the State Bar is subject to the Bagley-Keene Open Meeting Act and the California Public Records Act. (§ 11121(e))

## **II. BOARD, COMMITTEE, SUBCOMMITTEE, TASK FORCE MEETINGS**

### **A. Definition of a "Meeting"**

"Meeting" is defined in the Act as including "any congregation of a majority of the members of a state body at the same time and place to hear, discuss, or deliberate upon any item that is within the subject matter jurisdiction of the state body to which it pertains." (§11122.5(a)) The law now prohibits use by a majority of the members of a state body of direct communications or a series of communications of any kind, directly or through personal intermediaries, or technological devices (such as e-mails) to discuss, deliberate, or take action on any item of business that is within the subject matter of the state body. (§11122.5(b) (1)).

### **B. Exemptions from Definition of Meeting**

The law recognizes that not all gatherings of a majority of members of a state body at a single location constitute a meeting. Current law provides that the provisions of the Act do not apply to the following situations, **provided that** "a majority of the members do not discuss among themselves, other than as part of a scheduled program, business of a specified nature that is within the subject matter jurisdiction of the state body." (§11122.5(c))

- Individual contacts or conversations between a member of a state body and any other person. (§11122.5(c)(1))
- Attendance by a majority of members at a conference or similar gathering open to the public that involves a discussion of issues of general interest to the public or to public agencies of the type represented by the state body. (§11122.5(c)(2))
- Attendance by a majority of members at an open and publicized meeting organized to address a topic of state concern by a person or organization other than the state body. (§11122.5(c)(3))
- Attendance by a majority of members at an open and noticed meeting of another state body or of a legislative body of a local agency. (§11122.5(c)(4))
- Attendance by a majority of members at a purely social or ceremonial occasion. (§11122.5(c)(5))



- Attendance by a majority of members at an open and noticed meeting of a standing committee of that body, provided the members of the body who are not members of the committee attend only as observers. (§11122.5(c)(6))

The law does not, however, prevent an employee or official of a state agency from engaging in separate communications outside of a noticed meeting with members of the legislature to answer questions or provide information about a matter within the agency's subject matter jurisdiction – with the limitation that the person cannot communicate to members of the legislative body, the comments or position of any other member of the legislative body. (§11122.5(b)(2))

### **C. Board and Committee Meetings**

There are two basic types of meetings held by agencies in the Department of Consumer Affairs. The first type is a board meeting, where a quorum of the members of the board is present. The second type is a committee meeting consisting of less than a quorum of the members of the full board. Subcommittee and task force meetings are variations of committee meetings.

Board meetings have historically been required to be noticed and open to the public, except where a closed session is authorized. Committee and subcommittee meetings, where less than a quorum of the board is present, are also required to be noticed and open to the public. The only exception is for a committee that consists of fewer than three persons and does not exercise any authority of a state body delegated to it by that state body. (NOTE – it is the number of persons on the committee [not the number of board members] that is determinative.)

Where a committee of fewer than three persons is to meet, and the meeting is not noticed, other members of the board should not attend the meeting, as such attendance would clearly be perceived as an Open Meeting Act violation. Board staff is not precluded from attending such a meeting.

**[Restriction on Attendance at Committee Meetings]** The law allows attendance by a majority of members at an open and noticed meeting of a standing committee of the board, provided the members of the board who are not members of the committee attend only as observers. (§11122.5(c)(6)) The Office of the Attorney General has addressed in a formal opinion a provision in the Brown Act relating to the attendance of "observers" at a committee meeting. The Attorney General concluded that "[m]embers of the legislative body of a local public agency may not ask questions or make statements while attending a meeting of a standing committee of the legislative body 'as observers.'" The opinion further concluded that such members of the legislative body may not sit in special chairs on the dais with the committee. (81 Ops.Cal.Atty.Gen. 156)

Thus, under the provisions of section 11122.5(c)(6), and the opinion of the California Attorney General, if a majority of members of the full board are present at a committee meeting, members who are not members of the committee that is meeting may attend that meeting only as observers. The board members who are not committee members may not sit on the dais with the committee, and may not participate in the meeting by making statements or asking questions.

If a board schedules its committee meetings seriatim, and other board members are typically present to ultimately be available for their own committee meeting, your notice of the committee meeting should contain a statement to the effect that “Members of the board who are not members of this committee may be attending the meeting only as observers.”

Subcommittees may be appointed to study and report back to a committee or the board on a particular issue or issues. If the subcommittee consists of three or more persons, the same provisions apply to its meetings as apply to meetings of committees.

Board chairpersons may occasionally appoint a task force to study and report on a particular issue. One or two board members typically serve as task force members, along with a number of other non-board members. When this is the case, the same Open Meeting Act rules that apply to committee meetings apply to task force meetings. Such a formally appointed task force falls under the definition of “state body” in Section 11121(c)."

### **III. TYPES OF MEETINGS; PURPOSE; NOTICE; OTHER REQUIREMENTS**

Boards and committees may hold several types of meetings, including a regularly scheduled meeting, a “special” meeting, or an “emergency” meeting under the provisions of section 11125.5. This section of the memorandum addresses who can hold certain types of meetings, the purposes for which the meetings can be held, notice requirements, and any other special requirements or prohibitions.

#### **A. Regularly Scheduled Meetings**

##### **1. Who May Hold a Regularly Scheduled Meeting**

A board, committee, subcommittee, or task force may hold a regularly scheduled meeting. These are the business meetings that are scheduled throughout the year to conduct the usual and customary business of the board. Such meetings may generally be called by the chairperson, or by a majority of the body. However, you must refer to your particular licensing act, which may contain different provisions as to who may call a meeting.

##### **2. Purposes for Which the Meeting May be Held**

These meetings are to conduct the usual and customary business of the board, or the business of a committee, subcommittee or task force as directed by the board. The subject matter of the meetings is essentially dictated by the jurisdiction of the board as found in the board’s licensing act. There are no statutory restrictions in the Open Meeting Act on the purposes for which a regularly scheduled meeting may be held.

### **3. Notice Requirements for a Regularly Scheduled Meeting**

#### **a. Board Meetings**

An agency is required to give at least 10 calendar days written notice of each board meeting to be held. (§11125(a).) Effective January 1, 2015, an agency is authorized to provide that notice by regular mail, email or both. However, that same section requires an agency to give a person requesting notice the option of receiving the notice by regular mail, email or both and the agency must comply with that requester's choice for receiving notice of meetings. (Business and Professions Code section 101.7) The notice must include the name, address, and telephone number of a person who can provide further information prior to the meeting and must contain the website address where the notice can be accessed. The notice must also be posted on the Internet at least 10 calendar days before the meeting.

In addition to the website posting, effective January 1, 2003, the notice is required to be made available in appropriate alternate formats upon request by any person with a disability.

The notice of each board meeting must include an agenda that is prepared for the meeting. The agenda must include all items of business to be transacted or discussed at the meeting. " ... A brief general description of an item generally need not exceed 20 words. ... No item shall be added to the agenda subsequent to the provision of this notice."

(§11125(b)) This provision does not, however, preclude amending an agenda provided the amended notice is distributed and posted on the Internet at least 10 calendar days prior to the meeting. Effective January 1, 2003, the notice must include information that would enable a person with a disability to know how, to whom, and by when a request may be made for any disability-related modification or accommodation, including auxiliary aids or services. (§11125(f)) We suggest the following as standard language:

The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting \_\_\_\_\_ at (916) \_\_\_\_\_ or sending a written request to that person at the Board [Address], Sacramento, California, [zip code]. Providing your request at least five (5) business days before the meeting will help ensure availability of the requested accommodation.

The definition of "action taken" in Section 11122 is of some aid in determining what the Legislature intended by use of the words "items of business to be transacted."

"11122. As used in this article 'action taken' means a collective decision made by the members of a state body, a collective commitment or promise by the members of the state body to make a positive or negative decision or an actual vote by the members of a state body when sitting as a body or entity upon a motion, proposal, resolution, order or similar action."

General agenda items such as "New Business," "Old Business," "Executive Officer's Report," "Committee Reports," "President's Report," "Miscellaneous," etc., without specifying the particular matters thereunder, lack sufficient specificity to meet the standards of the Open Meeting Act and cannot be used to circumvent the notice requirement of a specific agenda. The Office of the Attorney General has opined that:

"... the purpose of subdivision (b) [of Government Code Section 11125] is to provide advance information to interested members of the public concerning the state body's anticipated business in order that they may attend the meeting or take whatever other action they deem appropriate under the circumstances.

\* \* \*

"We believe that Section 11125 was and is intended to nullify the need for . . . guesswork or further inquiry on the part of the interested public." (67 Ops.Cal.Atty.Gen. 85, 87)

Items not included on the agenda may not be acted on or discussed, even if no action is to be taken by the agency. However, we offer two suggestions so members of the public and board members may raise issues that are not on the agenda.

We strongly encourage boards to include an item on their agendas for "Public Comment on Matters Not on the Agenda." This gives persons who are attending a meeting an opportunity to raise any issues they may have, which may not be on the agenda, but which may be appropriate for future board discussion. Matters raised under this agenda item should be discussed only to the extent necessary to determine whether they should be made an agenda item at a future meeting. (§11125.7(a))

It must be reiterated that no action may be taken on any such item and discussion is limited to that which is necessary to make the determination as to whether the item will be added to a future board agenda.

While neither the California Victim Compensation Board nor the Government Claims Board are within the Department of Consumer Affairs, any hearing conducted by either of these boards, pursuant to Section 13963.1 and neither representative requests the hearing be open to the public, the notice, agenda, announcement or report need not identify the applicant. (§11125.8)

We also strongly encourage boards to include an item on their agenda for "Agenda Items for Future Meetings." This allows all board members an opportunity to request specific agenda items for a meeting. Again, these items should be discussed only to the extent necessary to determine whether they should be included as agenda items for a future meeting.

**[CAVEAT: If the regularly scheduled meeting will have a closed session agenda item or items, or be held by teleconference, please refer to the discussion of additional requirements under those headings, below.]**

The notice and the agenda must be provided to any person who requests it. A member of the public may request notice for a specific meeting, for all meetings at which a particular subject will be discussed or action taken thereon, or for all meetings of the agency. Mailing lists of persons who desire to be notified of more than one meeting must be maintained pursuant to Section 14911, which provides:

"14911. Whenever any state agency maintains a mailing list of public officials or other persons to whom publications or other printed matter is sent without charge, the state agency shall correct its mailing list and verify its accuracy at least once each year. This shall be done by addressing an appropriate postcard or letter to each person on the mailing list. The name of any person who does not respond to such letter or postcard, or who indicates that he does not desire to receive such publications or printed matter, shall be removed from the mailing lists. The response of those desiring to be on the mailing list shall be retained by these agencies for one year."

Effective 1/1/98, a sentence was added to subdivision (c) of Section 11125.1 to state that "Nothing in this article shall be construed to require a state body to place any paid advertisement or any other paid notice in any publication." (Stats. 1997, Chapt. 949; SB 95) The Legal Office interprets this provision to supersede any provisions in particular practice acts which require newspaper publication of board or committee meetings. Boards and committees, of course, retain the discretion to publish notices in newspapers if they so choose.

#### **b. Committee, Subcommittee or Task Force Meetings**

Each agency is required to give notice of committee, subcommittee or task force ("committee") meetings to be held. However, this requirement does not apply if the committee consists of less than three persons. It is the number of persons on the committee that is determinative, not how many of the persons are board members. Thus, if a committee consisted of two board members and two other interested persons, its meetings would have to meet all the requirements of the Open Meeting Act.

Notice of committee meetings must be provided and posted on the Internet at least 10 calendar days in advance of the meeting. (§11125(a)) The notice "shall include a brief, general description of the business to be transacted or discussed, and no item shall be added subsequent to the provision of the notice." (§11125(c)) The notice must also include the Website address where the notice can be accessed on the Internet. Although the law does not so specify, we would suggest also including in the notice the name, address, and telephone number of a contact person who can provide further information prior to the meeting. As with board meetings, there is no requirement that the notice be published in any newspaper or other periodical. However, the notice must be provided to any person or persons who have requested to be notified of the particular committee's meetings. Effective January 1, 2015, an agency is authorized to provide that notice by regular mail, email or both. However, that same section requires an agency to give a person requesting notice the option of receiving the notice by regular mail, email or both and the agency must comply with that requester's choice for receiving notice of meetings. (Business and Professions Code section 101.7) You may elect to send such notice to those persons on your regular mailing list.

Remember, you must post your notice on the Internet at least 10 calendar days in advance of the meeting and must make the notice available in appropriate alternate formats upon request by any person with a disability.

Provision is made for certain non-emergency, but sometimes necessary, committee meetings. Where, during the course of a regularly scheduled and properly noticed board meeting, the board desires that a committee presently discuss an item of business on the agenda, the committee may do so provided (a) the specific time and place of the committee meeting is announced during the public meeting of the board, and (b) the committee meeting is conducted within a reasonable time of, and nearby, the meeting of the board. (§11125(c))

#### **4. Specific Requirements for Regularly-Scheduled Meetings**

There are no specific requirements, other than those set forth above, for regularly scheduled board, committee, subcommittee or task force meetings.

#### **5. Specific Prohibitions on Holding a Regularly-Scheduled Meeting**

There are no statutory prohibitions in the Open Meeting Act on a board, committee, subcommittee or task force conducting a regularly scheduled meeting.

We again remind you that, with respect to committee meetings, members of the board who are not members of the committee that is meeting may only attend the committee meeting as observers. This means these members may not sit on the dais with the committee, make any statements, or ask any questions during the committee meeting. (81 Ops.Cal.Atty.Gen. 156)

### **B. “Special” Meetings**

SB 95 of 1997 created a new category of meeting, identified as a “special” meeting.

#### **1. Who May Hold a Special Meeting**

A board, committee, subcommittee or task force may hold a special meeting.

#### **2. Purposes for Which a Special Meeting May be Held**

The only purposes for which a special meeting may be held are set forth in section 11125.4, and are drawn from the purposes for which an emergency meeting could be held under the prior law. In essence, the Legislature recharacterized those purposes as constituting “special” circumstances rather than “emergency” circumstances. Section 11125.4 provides in part that:

”(a) A special meeting may be called at any time by the presiding officer of the state body or by a majority of the members of the state body. A special meeting may only be called for one of the following purposes when compliance with the 10-day notice provisions of Section 11125 would impose a substantial hardship on the state body or where immediate action is required to protect the public interest:

(1) To consider ‘pending litigation’ as that term is defined in subdivision (e) of Section 11126.

(2) To consider proposed legislation.

(3) To consider issuance of a legal opinion.

(4) To consider disciplinary action involving a state officer or employee.

(5) To consider the purchase, sale, exchange, or lease of real property.

(6) To consider license examinations and applications.

(7) To consider an action on a loan or grant provided pursuant to Division 31 (commencing with Section 50000) of the Health and Safety Code.

(8) To consider its response to a confidential final draft audit report as permitted by Section 11126.2.

(9) To provide for an interim executive officer of a state body upon the death, incapacity, or vacancy in the office of the executive officer.

\* \* \*

Department of Consumer Affairs licensing boards would most likely hold a special meeting for the purposes set forth in subdivisions (1), (2), (3), (4), and (6).

### **3. Notice Requirements for a Special Meeting**

A special meeting can be called at any time by the presiding officer or a majority of the members of the state body, provided the 10-day notice requirements of section 11125 “would impose a substantial hardship on the state body or where immediate action is required to protect the public interest.” (§11125.4(a)) The only purposes for which the meeting can be held are those set forth above.

The normal 10-day advance notice is not required for special meetings. However, notice of the special meeting is required to be provided to each member of the state agency and to persons who have requested notice of the agency’s meetings as soon as practicable after the decision to hold the meeting is made. Notice to members, newspapers of general circulation, and radio or television stations must be received at least 48 hours in advance of the meeting. Notice to newspapers, radio and television stations is satisfied by providing

notice to all national press wire services. Notices to the general public may be given via appropriate electronic bulletin boards or other appropriate mechanisms. (§11125.4(b)) The notice must also be posted on the Internet at least 48 hours in advance of the meeting.

The notice must specify the time and place of the special meeting and the business to be transacted. In essence, an agenda would be prepared. No business other than that noticed may be transacted. Notice is required even if no action is subsequently taken at the meeting. (§11125.4(b)) The notice must contain the Website address where the notice may be accessed on the Internet.

**[CAVEAT: If the special meeting will have a closed session agenda item or items, or be held by teleconference, please refer to the discussion of additional requirements under those headings, below.]**

#### **4. Specific Requirements During Special Meetings**

At the commencement of a special meeting, the agency must make a finding in open session that providing a 10-day notice of the meeting would pose a substantial hardship on the agency, or that immediate action is required to protect the public interest. The specific facts constituting the hardship or need for immediate action must be articulated. This finding must be adopted by a two-thirds (2/3) vote of the agency members present, or if less than two thirds of the members are present, by a unanimous vote of the members present. Failure to adopt the finding terminates the meeting. The agency's finding must be made available on the Internet. (§11125.4(c))

#### **5. Specific Prohibitions on Holding a Special Meeting**

As discussed above, a special meeting may only be held for the purposes set forth in section 11125.4(b). Other than the limitation on the purposes of the meeting, there are no statutory prohibitions in the Open Meeting Act on a board, committee, subcommittee or task force conducting a special meeting.

### **C. "Emergency" Meetings**

#### **1. Who May Hold an Emergency Meeting**

A board, committee, subcommittee or task force may hold an emergency meeting.

#### **2. Purposes for Which an Emergency Meeting May be Held**

As noted above, S.B. 95 of 1997 recharacterized a number of "emergency" situations as "special" situations. This resulted in the narrowing of situations for which an emergency meeting may be held. Section 11125.5 provides an emergency meeting may be held only in the case of an "emergency situation," defined as:

"(1) Work stoppage or other activity that severely impairs public health or safety, or both.



“(2) Crippling disaster that severely impairs public health or safety, or both.” (§11125.5(b))

### **3. Notice Requirements for an Emergency Meeting**

An emergency meeting may be held without complying with the 10-day notice requirement in Section 11125 or the 48-hour notice requirement in Section 11125.4. However, newspapers of general circulation, television and radio stations that have requested notice of meetings shall be notified of the emergency by telephone at least one hour before the meeting. If telephone services are not functioning, notice is deemed waived. The notice must be posted on the Internet as soon as practicable after the decision to call an emergency meeting has been made. However, newspapers, television and radio must be notified as soon as possible after the meeting of the fact of the meeting, its purpose, and any action taken. (§11125.5(c))

### **4. Specific Requirements for an Emergency Meeting**

The following are required to be posted in a public place and on the Internet for a minimum of 10 days, as soon as possible after the emergency meeting:

- \* Minutes of the meeting
- \* A list of persons notified, or attempted to be notified, of the meeting
- \* Any action taken at the meeting
- \* A copy of the rollcall vote on action taken (§11125.5(d))

### **5. Specific Prohibitions on Holding an Emergency Meeting**

As discussed above, an emergency meeting may only be held for the purposes set forth in section 11125.5(b).

## **IV. CLOSED SESSIONS**

### **A. Purposes for Which Closed Session Can be Held**

"Closed" sessions were formerly called "executive" sessions. Since all references in the Open Meeting Act have been changed from "executive" session to "closed" session, throughout this memorandum we will refer to such sessions as "closed" sessions.

Section 11123 states that "All meetings of a state body shall be open and public and all persons shall be permitted to attend any meeting of a state body except as otherwise provided in this article."

Section 11126 sets forth those specific items of business which may be transacted in closed session. Only those enumerated items of business may be conducted in closed session. An agency in the Department may convene a closed session pursuant to Section 11126 for the following purposes:

## **1. Personnel Matters**

A board may meet in closed session to " . . . consider the appointment, employment, evaluation of performance, or dismissal of a public employee or to hear complaints or charges brought against such employee by another person unless the employee requests a public hearing." In order to consider such disciplinary action or dismissal the "employee shall be given written notice of his or her right to have a public hearing . . . which notice shall be delivered to the employee personally or by mail at least 24 hours before the meeting." (§11126(a)) If such a notice is not given any action taken during a closed session for the above reason is null and void. Once the public hearing has been held, the agency may convene into closed session to deliberate on the decision to be reached. (§11126(a)(4))

Prior to January 1, 1995, section 11126(a) did not apply to employees who were appointed to their positions, such as executive officers, executive directors, and registrars (referred to as "executive officer" for convenience). For example, any decision or deliberations made in the selection or dismissal of an executive officer previously had to be conducted in open session. (68 Ops.Cal.Atty.Gen. 34.) However, with the enactment of SB 1316 (Stats. 1994, Chapt. 845) and SB 95 (Stats. 1997, Chapt. 949), a board can now meet in closed session to consider the appointment, employment, evaluation of, or dismissal of its executive officer, unless the executive officer requests a public hearing. (§11126(a)(1), (2)) SB 1316 supersedes the conclusion reached in 68 Ops.Cal.Atty.Gen. 34. As noted above, once the public hearing has been held, the state body may convene in closed session to deliberate on the decision to be reached. (§11126(a)(4))

If the executive officer does not request a public hearing, he or she must be given the opportunity for a hearing in closed session. After the hearing, the executive officer should be excused from the closed session, and the board may then continue in closed session to deliberate on the decision to be reached. (§11126(a)(4))

Section 11126(a) is not to be interpreted to mean that a board is required to handle civil service personnel matters itself. Normally, this function of an agency is administered by its executive officer in conjunction with the Director of Consumer Affairs, who shares authority with respect to civil service personnel.

## **2. Examination Matters**

A board may meet in closed session to "prepare, approve, grade or administer examinations." (§11126(c)(1)) Essentially, this includes any discussion regarding the actual content of examinations, and their reliability and validity. If an agency is perusing examination samples in order to choose one over the others, this may be done in closed session. On the other hand, if an agency is discussing, for example, the general logistics of administering an examination, then this would not be proper subject matter for a closed session. A basic rule is that if a meeting concerns the grading, specific content, validity of an examination, or examination security, then it can and should be conducted in closed session.

Also, an agency may hear appeals from examinees or re-review examinations in closed session as this would be included in the "grading" of the examination.

### **3. Matters Affecting Individual Privacy**

A committee, consisting of less than a quorum of the full board, may meet in closed session to:

" . . . discuss matters which the [committee] has found would constitute an unwarranted invasion of the privacy of an individual licensee or applicant if discussed in an open meeting, . . . Those matters may include review of an applicant's qualifications for licensure and an inquiry specifically related to the state body's enforcement program concerning an individual licensee or applicant where the inquiry occurs prior to the filing of a civil, criminal, or administrative disciplinary action against the licensee or applicant by the state body." (§11126(c)(2))

Thus, review by a committee (or subcommittee of an examining committee) of an applicant's qualifications for licensure could properly be done in a closed session. Also, for example, an enforcement committee could convene in closed session to discuss an inquiry related to a particular licensee or licensees prior to any action being filed.

**CAVEAT: This closed session provision does not authorize such a review by the full board. Nor does it generally authorize a committee of a board to review complaints, investigation reports, or other information to determine whether disciplinary or other action should be filed against a licensee.**

To ensure that board members render an impartial and fair decision in considering an Administrative Law Judge's proposed decision, board members are precluded from involving themselves in the investigation or prosecution phase of an action. (§11430.10 *et seq.*) The board's role is that of judge in the case. If a particular board member has any significant involvement in the investigative or prosecution phases, he or she must disqualify himself/herself from participation in the board's action relative to the proposed decision, and not attempt to influence any other board member regarding the decision. Legal counsel should be consulted before any enforcement actions are discussed with individual licensees, as such discussions may impact participation by the member in a final decision on a case (§11430.60), and may require disclosures under the provisions of the state's Administrative Procedure Act. (§11430.50)

Even though these committee meetings may consist entirely of subject matter proper for closed session they are required to be noticed as discussed above.

### **4. Administrative Disciplinary Matters**

A board may meet in closed session to deliberate on a decision in an administrative disciplinary proceeding under the Administrative Procedure Act. (§11400, *et seq.*; §11126(c)(3)) In the closed session, the board may decide whether to adopt a Proposed Decision, review a transcript of a hearing and render a decision of its own, deliberate upon evidence heard by the agency itself, or consider a stipulation.

This section does not authorize an agency to convene into closed session for the purpose of assigning cases, *i.e.* deciding whether a case should be heard by a hearing officer alone or by the agency itself with a hearing officer. This section does not authorize an agency to convene into closed session to review investigation files or complaints. Members of boards that have the discretion to hear cases should not review pending complaints or investigation files for the reasons given above.

## **5. Board of Accountancy Matters**

The enforcement advisory committee established by the State Board of Accountancy pursuant to Business and Professions Code Section 5020 may convene in a closed session to "consider disciplinary action against an individual accountant prior to the filing of an accusation." (§11126(f)(3)) And the qualifications examining committee established by that board pursuant to Business and Professions Code Section 5023 may convene in closed session to "interview an individual applicant or accountant regarding the applicant's qualifications."

As noted above, such administrative and examining committee meetings are required to be noticed as previously discussed in this memorandum.

## **6. Pending Litigation**

A board may meet in closed session to confer with or receive advice from its legal counsel regarding pending litigation when discussion in open session concerning those matters would prejudice the position of the state body in the litigation. (§11126(e)(1)) Again, please note the very specific notice requirements discussed below when a closed session is to be held to discuss "pending litigation". Litigation means an adjudicatory proceeding before a court, administrative body, hearing officer or arbitrator. Litigation is considered to be pending if, (1) it has been initiated formally (e.g. a complaint, claim or petition has been filed) or (2) based on existing facts and circumstances and on the advice of its legal counsel, the state body believes there is significant exposure to litigation against it, or it is meeting to decide whether a closed session is authorized because of significant exposure to litigation or (3) based on existing facts and circumstances, the state body has decided or is deciding whether to initiate litigation. (§11126(e)(2))

The agency's legal counsel must submit a memorandum which complies with the requirements of Section 11126(e)(2)(C)(ii) prior to the closed session if possible, but no later than one week after the closed session. This document is confidential until the pending litigation has been finally adjudicated or otherwise settled. (§6254.25)

## **7. Response to Confidential Final Draft Audit Report**

Section 11126.2 (added effective January 1, 2005) permits an agency to meet in closed session to discuss its response to a confidential final draft audit report from the Bureau of State Audits. However, once that audit report becomes final and is released to the public, the agency may only discuss it in open session.

## **8. Threat of Criminal or Terrorist Activity**

Effective January 1, 2006, AB 277 (Chap. 288, Stats. 2005) authorizes an agency at a regular or special meeting to meet in closed session to consider "matters posing a threat or potential threat of criminal or terrorist activity against the personnel, property, buildings, facilities, or equipment, including electronic data, owned, leased, or controlled by the state body," where disclosure of those considerations could compromise or impede the safety or security of the described subjects. The law (Section 11126(c)(18)) requires the agency to authorize the closed session by a two-thirds vote of the members present at the meeting.

## **9. Advisory Bodies/Committees May Meet in Closed Session**

To the extent a licensing board, which is defined as a "state body" in the Open Meeting Act, is authorized to meet in closed session, then committees, subcommittees, or other bodies advisory to the licensing board, which are also defined as "state bodies," may meet in closed session for the same purposes as the licensing board. (§11126((f), (4)-(6)))

## **10. Open Session Otherwise Required**

Any other business transacted by an agency must be in open session. Only for the above-mentioned reasons may a board within the Department of Consumer Affairs meet in closed session. (§11132) A board may not meet in closed session for the purpose of electing officers or to discuss the proposal or adoption of rules and regulations. Further, a board may not convene in closed session to discuss testimony received during a hearing on proposed rules and regulations. Finally, an agency may not meet in closed session because it wants to have a frank and open discussion among only members on a matter of controversy. In order for an agency to meet in closed session, the closed session must be specifically authorized by statute.

## **B. Notice and Reporting Requirements for Closed Sessions**

### **1. Notice of Closed Session**

When a closed session will constitute part or all of a meeting, it is important to note Government Code Section 11126.3, which requires that:

"(a) Prior to holding any closed session, the state body shall disclose, in an open meeting, the general nature of the item or items to be discussed in the closed session. The disclosure may take the form of a reference to the item or items as they are listed by number or letter on the agenda. [A provision applicable to the Public Utilities Commission is not included herein.] If the session is closed pursuant to subparagraph (A) of paragraph (2) of subdivision (e) of Section 11126 [litigation has already commenced], the state body shall state the title of, or otherwise specifically identify, the litigation to be discussed unless the body states that to do so would jeopardize the body's ability to effectuate service of process upon one or more unserved parties, or that to do so would jeopardize its ability to conclude existing settlement negotiations to its advantage."

Thus, if the meeting will consist in part or in its entirety of a closed session, you must include on the notice of the meeting the above-described information. Pay particular attention to these very specific requirements if the closed session is to discuss pending litigation. Please note that to obtain legal advice in closed session concerning pending litigation, the notice must cite subdivision (e) of Section 11126 and your attorney must prepare a memorandum stating the specific reasons and legal authority for the closed session. Subdivisions of Government Code Section 11126, discussed under "Closed Sessions" above, will generally be the statutory authority cited.

If a closed session agenda to discuss pending litigation has been properly published, and an additional pending litigation issue subsequently arises, the state agency may discuss the new matter in closed session provided that postponement of the discussion would prevent the state agency from complying with any statutory, court-ordered, or other legally-imposed deadline. The state agency must publicly announce the title of, or otherwise identify, the litigation unless to do so would jeopardize the ability to effectuate service of process, or to do so would jeopardize the agency's ability to conclude existing settlement negotiations to its advantage. (§11126.3(d))

If you intend to have a closed session during your meeting, you should first contact your Legal Division attorney to ensure that a closed session is authorized and properly noticed.

## **2. Reporting After a Closed Session**

Section 11126.3(f), requires a state body to convene in open session after a closed session and to report as required in Section 11125.2, which states that:

"Any state body shall report publicly at a subsequent public meeting any action taken, and any rollcall vote thereon, to appoint, employ, or dismiss a public employee arising out of any closed session of the state body."

## **C. Other Procedural Requirements for Closed Sessions**

There are certain additional requirements that must be met when closed sessions are to be held.

1. All closed sessions must be held during a regular or special meeting (§11128); they may not be scheduled independently of a noticed meeting of the board or committee. Where, for example, a board or committee meeting is scheduled to discuss only matters appropriate for a closed session, the meeting should be opened as a public meeting with an announcement immediately following that the agency will convene into closed session.

2. As discussed under "Notice Required," above, prior to holding the closed session the agency must announce the general reason(s) for the closed session and the specific statutory or other legal authority under which the session is held. (§11126.3 (a)) With respect to litigation that has already been initiated, it must announce the title of or otherwise identify the litigation. (§11126.3(a)) Other specific notice requirements, discussed above,

also apply to notices regarding pending litigation. In the closed session, only matters covered in the statement may be discussed. (§11126.3(b))

3. The agency is required to designate a staff person to attend the closed session and to record in a minute book a record of topics discussed and decisions made. (§11126.1)

4. The minute book referenced in (3) is available only to members of the agency, or if a violation of the Open Meeting Act is alleged, to a court of general jurisdiction. (§11126.1)

5. Information received and discussions held in closed session are **confidential** and must not be disclosed to outside parties by members or staff who attended the closed session. A recent opinion of the Office of the California Attorney General concluded that:

“A local school board member may not publicly disclose information that has been received and discussed in closed session concerning pending litigation unless the information is authorized by law to be disclosed.” (80 Ops.Cal.Atty.Gen. 231)

That opinion also cited a previous opinion, in which the Attorney General stated that “We have ... routinely observed that it would be *improper* for information received during a closed session to be publicly disclosed.” (76 Ops.Cal.Atty.Gen. 289, 290-291; Emphasis in the original.)

## **V. MEETING BY TELECONFERENCING**

Prior to January 1, 1995, the Bagley-Keene Open Meeting Act contained no provision for conducting meetings where the participating members were not physically present in one location.

Effective 1/1/95, subdivision (b) was added to Government Code section 11123 to authorize meetings by teleconference. (Stats. 1994, Chapt. 1153; AB 3467) That subdivision has been amended several times, most recently by AB 192 of 2001, and it currently provides:

"(a) All meetings of a state body shall be open and public and all persons shall be permitted to attend any meeting of a state body except as otherwise provided in this article.

"(b) (1) This article does not prohibit a state body from holding an open or closed meeting by teleconference for the benefit of the public and state body. The meeting or proceeding held by teleconference shall otherwise comply with all applicable requirements or laws relating to a specific type of meeting or proceeding, including the following:

(A) The teleconferencing meeting shall comply with all requirements of this article applicable to other meetings.

(B) The portion of the teleconferenced meeting that is required to be open to the public shall be audible to the public at the location specified in the notice of the meeting.

(C) If the state body elects to conduct a meeting or proceeding by teleconference, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the rights of any party or member of the public appearing before the state body. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. The agenda shall provide an opportunity for members of the public to address the state body directly pursuant to Section 11125.7 at each teleconference location.

(D) All votes taken during a teleconferenced meeting shall be by rollcall.

(E) The portion of the teleconferenced meeting that is closed to the public may not include the consideration of any agenda item being heard pursuant to Section 11125.5.

(F) At least one member of the state body shall be physically present at the location specified in the notice of the meeting.

(2) For the purposes of this subdivision, 'teleconference' means a meeting of a state body, the members of which are at different locations, connected by electronic means, through either audio or both audio and video. This section does not prohibit a state body from providing members of the public with additional locations in which the public may observe or address the state body by electronic means, through either audio or both audio and video."

A method is thus available whereby meetings may be conducted by audio or video teleconferencing provided the criteria set forth in the statute have been met. Note the restriction in subdivision (b)(1)(E) that prohibits a closed session emergency meeting. Emergency meetings in open session may be conducted by teleconference.

Effective January 1, 2015, subdivision (c) was added to Government Code section 11123 to require that any action taken and the vote or abstention on that action of each member present for the action be publicly reported by the state body. (Stats. 2014, Chapt.510; AB 2720)

We emphasize that the law now requires every teleconference meeting location to be identified in the notice and agenda and to be open to the public. Most importantly, the members of the agency must attend the meeting at a public location. Members are no longer able to attend the meeting via teleconference from their offices, homes, or other convenient location unless those locations are identified in the notice and agenda, and the public is permitted to attend at those locations. Nothing prohibits additional locations, where only the public is connected to the teleconference meeting. (§11123(b)(2))



## **VI. DELIBERATIONS AND VOTING**

Keep in mind the Open Meeting Act declaration of legislative intent that actions of state agencies be taken openly and that their deliberation be conducted openly. (§11120) In this regard, there are a number of provisions in the Open Meeting Act which address deliberations and voting.

### **A. Seriatim Calls to Individual Agency Members Prohibited**

Except as authorized by the above-discussed teleconferencing statutes, telephone conference calls may not be used to avoid the requirements of the Open Meeting Act. A conference call including members of a board, committee, subcommittee or task force sufficient to constitute a majority of that state body is prohibited, except pursuant to an authorized teleconference meeting.

In a case involving the Ralph M. Brown Act, the court concluded that a series of one-to-one telephone calls between members of a local body, where the purpose of the calls was to obtain a collective commitment on an issue, constituted a violation of the Act. (*Stockton Newspapers, Inc. v. Members of the Redevelopment Agency of the City of Stockton* (1985) 171 Cal.App.3d 95) The Brown Act is the local agency counterpart to the Bagley-Keene Open Meeting Act, and decisions rendered on its provisions are frequently followed in Open Meeting Act cases.

Citing the *Stockton Newspapers, Inc.* case, the court in *Sutter Bay Associates v. County of Sutter* held that to prevent evasion of the Brown Act, a series of private meetings (known as serial meetings) by which a majority of the members of the legislative body commit themselves to a decision concerning public business or engage in collective deliberation on public business would violate the open meeting requirement. ((1997) 58 Cal.App.4<sup>th</sup> 860, 877, 68 Cal.Rptr.2d 492, 502)

Effective January 1, 2010, the Act now specifically prohibits serial communications between a majority of members “to discuss, deliberate, or take action on any item of business that is within the subject matter of the state agency.” (Emphasis added.) (§11122.5(b))

### **B. E-Mail Prohibition**

Section 11122.5 was amended by Stats. 2009, c. 150 (A.B. 1494) to provide:

(b)(1) A majority of the members of the state body shall not, outside of a meeting authorized by this chapter, use a series of communications of any kind, directly or through intermediaries to discuss, deliberate, or take action on any item of business that is within the subject matter of the state body.

(2) Paragraph (1) shall not be construed to prevent an employee or official of a state agency from engaging in separate conversations or communications outside of a meeting authorized by this chapter with members of a legislative body in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the state

agency, if that person does not communicate to members of the legislative body the comments or position or any other member or members of the legislative body.

The enactment of subdivision (b) of section 11122.5, expands upon and confirms a recent opinion of the Attorney General prohibiting the use of e-mail to reach a collective decision outside a regularly scheduled meeting. In 84 Ops.Cal.Atty.Gen. 30, the Attorney General concluded that:

"A majority of the board members of a local public agency may not e-mail each other to develop a collective concurrence as to action to be taken by the board without violating the Ralph M. Brown Act even if the e-mails are also sent to the secretary and chairperson of the agency, the e-mails are posted on the agency's Internet website, and a printed version of each e-mail is reported at the next public meeting of the board."

As noted above, interpretations of the Brown Act, which governs local public agencies, are often cited as authority in interpreting similar provisions of the Bagley-Keene Open Meeting Act.

Members of a board must refrain from calling or otherwise contacting other members on a one-to-one basis, or conducting serial meetings, in order to discuss, deliberate, or take action outside the meeting on a matter within the subject matter of the board.

### **C. Secret Ballot Prohibited**

An agency may not vote by secret ballot in a public meeting nor vote in closed session on any matter where discussion, deliberations, or action taken is required to be in an open meeting. (68 Ops.Cal.Atty.Gen. 65, 69)

For example, the election of board officers may not be conducted by secret ballot or in closed session.

### **D. Voting by Proxy Prohibited**

Voting by proxy is not authorized. (68 Ops.Cal.Atty.Gen. 65, 70)

### **E. Use of Electronic Devices During Meeting**

Board members should not text or email each other during an open meeting on any matter within the board's jurisdiction. Using electronic devices to communicate secretly on such a matter would violate the law. Where laptops are used by board members at the meeting because the board provides board materials electronically, the board president should make an announcement at the beginning of the meeting as to the reason for the laptops. We suggest the following (or something similar):

"You may notice board members accessing their laptops during the meeting. They are using the laptops solely to access the board meeting materials which are in electronic format."

## **F. Voting by Mail on Administrative Disciplinary Matters**

As a general rule, all voting on items of business to be transacted must be done at a public meeting. However, the Administrative Procedure Act authorizes mail voting on all questions arising under that act. (Govt. Code §11526.) Thus, board members may vote by mail on proposed decisions, stipulated decisions, and other matters in connection with a formal disciplinary case. No other votes may be cast by mail. (68 Ops.Cal.Atty.Gen. 65, 69)

## **G. Recording and Reporting Votes**

Beginning January 1, 2015, for each item on which a vote is taken, the minutes must contain a record of how each member voted on that action item. (For example, Yes – Members A, B, & C; No – Members D & E; Abstain – Member F.)

## **VII. MISCELLANEOUS PROVISIONS**

There are several provisions governing public meetings which do not fit under any of the above headings, but of which you should be aware.

### **A. Conforming Board Member's Conduct**

Any person who has been appointed as a member of a state body, who has not yet assumed the duties of the office, must conform his or her conduct to the provisions of the Open Meeting Act. (§11125.95)

### **B. Providing Open Meeting Act to New Board Members**

A copy of the Bagley-Keene Open Meeting Act must be provided to each agency member upon his or her appointment to office. Each agency should insure that a copy is given to each new member. (§11121.9.)

### **C. Prohibition on Placing Conditions on Public's Attendance**

#### **1. Sign-in**

No person can be required to register or sign-in or fulfill any other condition in order to attend a public meeting of an agency. While a person who wishes to make public comment may be asked to identify himself or herself for the board's record or minutes, a commenter cannot be compelled to do so or prevented from speaking because the commenter refuses to identify himself or herself.

If an attendance list, register, questionnaire, or other similar document is posted at or near the entrance to the room where the meeting is to be held, or is circulated to persons present during the meeting, "it shall state clearly that the signing, registering, or completion of the document is voluntary, and that all persons may attend the meeting regardless of whether a person signs, registers, or completes the document." (§11124)

## **2. Discrimination in Admittance to Meeting Facility**

A meeting may not be held in any facility that prohibits the admittance of any persons on the basis of race, religious creed, color, national origin, ancestry, or sex. (§11131)

## **3. Access for the Disabled**

All meetings must be accessible to the disabled. (§11131)

## **4. Charging a Fee or Requiring a Purchase for Access**

The Open Meeting Act prohibits holding a meeting in any location where the public is required to pay a fee or make a purchase to attend. (§11131)

## **D. Agency Recording of the Proceedings**

A tape or film record of an open and public meeting made by the agency must be made available for public inspection under the California Public Records Act, but may be erased or destroyed 30 days after the taping or recording. An inspection must be provided without charge on an audio or video tape player made available by the state agency. (§11124.1(b))

## **E. Public's Right to Record the Proceedings**

Persons attending a public meeting have a right to record the proceedings with an audio or video tape recorder or still or motion picture camera, in the absence of a reasonable finding by the agency that the recording could not continue without noise, illumination, or obstruction of view that constitutes, or would constitute a persistent disruption of the proceedings. (§11124.1(a))

## **F. Media Broadcast of the Proceedings**

A state body may not prohibit or otherwise restrict the broadcast of a public meeting in the absence of a reasonable finding that the broadcast cannot be accomplished without noise, illumination, or obstruction of view that would constitute a persistent disruption of the proceedings. (§11124.1(c))

## **G. Webcasting**

Whether or not webcasting is required, if your meeting is webcast, it is our recommendation that you place the following statement on your agenda:

“While the board intends to webcast this meeting, it may not be possible to webcast the entire open meeting due to limitations on resources.”

## **H. Taking Agenda Items Out of Order**

Items listed on the agenda may be taken up out of order, provided the purpose of moving the agenda items is not to frustrate public or other input on the item. It is a good practice to note on either the top or the bottom of your agenda that “All times indicated and the order of business are approximate and subject to change,” to alert members of the public this is a possibility.

If your agency schedules a multiple day meeting and may move items scheduled for a subsequent day to an earlier day, you should provide notice of this possibility on your agenda. Suggested language is that “Items scheduled for a particular day may be moved to an earlier day to facilitate the board’s business.” Again, the purpose may not be to frustrate public or other input.

## **I. Opportunity for Public Comment at Meetings**

Section 11125.7 addresses the subject of public comment at board meetings. With specified exceptions, that section requires state agencies to provide an opportunity for members of the public to directly address the state agency on each agenda item before or during the agency's discussion or consideration of the item. This opportunity for comment need not be made available if:

1. The agenda item has previously been considered at a public meeting by a committee comprised exclusively of board members, where members of the public were provided an opportunity to address the item. However, if the item has been substantially changed since the committee meeting, a new opportunity to address the agency would be required at the full board meeting.
2. The agenda item is one that may properly be considered in closed session, which would include deliberation and action on disciplinary proceedings under the Administrative Procedure Act. (§11125.7)

If a board wishes to establish a standing rule that discussion of agenda items will be given a specified amount of time, or that public comment will be limited to a certain amount of time, the board may do that by adopting an administrative regulation. (§11125.7(b))

Section 11125.7 was amended, effective June 27, 2016 to provide an equal time provision when the state body limits the time for public comment, by requiring the state body to provide at least twice the allotted time to a member of the public who uses a translator. This amendment is to ensure that non-English speakers receive an equal opportunity to address the state body when simultaneous translation equipment is not used. (Stats of 2016 chapt. 31 SB 836)

The law specifically provides that a state agency may not prohibit public criticism of its policies, programs, or services, or of the acts or omissions of the agency. (§11125.7(c))

## **VIII. DISCLOSURE OF DOCUMENTS**

### **A. Documents Distributed Prior to the Meeting**

When writings which are public records are distributed to all, or a majority of all, of the members of a board or committee for discussion or consideration at a public meeting, the writings must be made available for public inspection. Generally, the records must be made available for inspection at the time of distribution to agency members. (§11125.1(a)) Records exempt from disclosure under Sections 6253.5, 6254 or 6254.7 of the Public Records Act need not be disclosed even though the subject matter of the records may be considered or discussed at the meeting. This includes records which are drafts, notes or memoranda which will not be retained by the agency, attorney-client privileged communications, records of pending litigation and claims against the state, personnel, medical or similar files, complaint and investigation files, except for Accusations and Proposed Decisions, and any records or data relating to examinations.

### **B. Documents Distributed During the Meeting**

When public records pertaining to an agenda item are prepared by the state body or a member of the state body, and distributed to state body members during a meeting, the documents must be made available for public inspection at the meeting. If records are prepared by some other person, and distributed to members of the state body during a meeting, the documents must be made available for public inspection after the meeting. (§11125.1(b)) Records exempt from public disclosure under specified statutes are not required to be publicly disclosed. (§11125.1(a), (b))

### **C. Charging a Fee for Public Documents**

Under section 11126.7, an agency may not charge a fee for a notice, including the agenda, of a meeting, and may only charge those fees specifically authorized for public documents that are considered at the meeting

At its discretion, an agency may charge a fee to cover reproduction costs for providing the documents required to be made available, as discussed in paragraph (B), immediately above. If an agency charges a fee, it is limited to the direct costs of duplication authorized in Section 6257 for the reproduction of public records. (§11125.1(c))

Effective January 1, 2003, documents distributed prior to or during a meeting that are public records must be made available, upon request by a person with a disability, in appropriate alternative formats. No extra charge can be imposed for putting those documents into an alternative format.

## **IX. PENALTIES**

Under previous law, any interested person could commence court action (mandamus, injunction, declaratory relief) to stop or prevent violations or threatened violations of the Open

Meeting Act. SB 95, effective 1/1/98, added the Attorney General and the district attorney to the list of those who may commence such action. Court costs and reasonable attorney's fees may be awarded to a successful plaintiff to be paid from the funds of the agency. (§11130.5)

SB 95 also expanded the law to authorize the Attorney General, a district attorney, or any interested person to seek court action "to determine whether any rule or action by the state body to penalize or otherwise discourage the expression of one or more of its members is valid or invalid under the laws of this state or of the United States, ..." (§11130(a)) This appears to be a rather unique provision, and its implications are unknown at this time.

SB 95 further expanded the law to authorize the Attorney General, a district attorney, or any interested person to seek a court action to compel a state agency to tape record its closed sessions. Upon a judgment of a violation of Section 11126, a court could so compel an agency. Discovery procedures for the tape recordings are also set forth. (§11130(b), and (c))

Section 11130.3 authorizes a person to institute a court action to obtain a judicial determination that an action taken in violation of the notice provisions or the provisions governing closed sessions of the Act is null and void. Court costs and reasonable attorney's fees may also be awarded to a successful plaintiff under this section. This section reinforces the need for a specific, informative agenda as required by Section 11125.

These remedies extend to past actions of an agency. The statute of limitations for bringing an action is 90 days. (§§11130(c) and 11130.3(a)).

Section 11130.7 of the Act provides:

"Each member of a state body who attends a meeting of such body in violation of any provision of this article, and where the member intends to deprive the public of information to which the member knows or has reason to know the public is entitled, is guilty of a misdemeanor." (Emphasis added.)





### **3. TECHNICAL ADVISORY COMMITTEES (TAC)**

- Operating Procedures: Technical Advisory Committees (TAC)





**Board for Professional Engineers,  
Land Surveyors, and Geologists**

**TECHNICAL ADVISORY COMMITTEES  
OPERATING PROCEDURES**

*Adopted April 21, 2017*

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## **ARTICLE I: LEGAL AUTHORITY OF THE TECHNICAL ADVISORY COMMITTEES**

### **1.0 ESTABLISHMENT OF TECHNICAL ADVISORY COMMITTEES**

- 1.0.1 The Board may establish Technical Advisory Committees (TACs) to advise and assist the Board in accordance with the provisions of Sections 6726 through 6726.4 (engineering), Sections 7826 through 7826.4 (geology and geophysics), and Sections 8715 through 8715.4 (land surveying) of the Business and Professions Code.
- 1.0.2 The Board may have Technical Advisory Committees in any discipline as needed.
- 1.0.3 The Board shall establish Technical Advisory Committees only as it determines them necessary for the orderly and timely conduct of the Board's business.

### **1.1 ROLE OF TECHNICAL ADVISORY COMMITTEES**

- 1.1.1 The role of the TAC is to advise and assist the Board with respect to the following:
  - a) Application review and verification for any level of registration, licensure, authority, or title.
  - b) Evaluation and investigation of potential violations of the act.
  - c) Amendment, repeal, adoption, or revision of board rules, regulations, policies, and procedures.
- 1.1.2 All Technical Advisory Committees shall be advisory, and no Technical Advisory Committee nor individual TAC member shall have the power to bind or represent the Board except when specifically authorized by the Board.

## **ARTICLE II: TECHNICAL ADVISORY COMMITTEE OPERATING PROCEDURES**

### **2.0 PRIORITY OF LAWS AND OPERATING PROCEDURES**

- 2.0.1 All state laws and their associated regulations (e.g., the Bagley-Keene Open Meeting Act (Government Code section 11120, et seq.), the Professional Engineers Act (Business and Professions Code section 6700, et seq.)) govern the actions and procedures of the Technical Advisory Committees for all meetings and take precedence over the TAC Operating Procedures and the Board Operating Procedures in case of any conflict.
- 2.0.2 The TAC Operating Procedures and the Board Operating Procedures will govern the actions to be taken by the TACs. If a situation is not covered by the TAC

Operating Procedures or the Board Operating Procedures, Robert's Rules of Order will govern the actions to be taken by the TAC.

## **2.1 SUSPENSION OF AN OPERATING PROCEDURE**

- 2.1.1 Any operating procedure of the TAC may be suspended temporarily by a majority of the members present, provided that such temporary suspension shall apply only to the matter under immediate consideration and in no case shall it extend beyond adjournment.

## **2.2 AMENDMENT TO THE TAC OPERATING PROCEDURES**

- 2.2.1 The TAC Operating Procedures may be amended only by the Board at a scheduled meeting of the Board by a majority of the members present, provided that the proposed amendment has been placed on the agenda.

# **ARTICLE III: COMMITTEE MEMBERSHIP**

## **3.0 COMMITTEE COMPOSITION**

- 3.0.1 The Board shall solicit applications from interested parties for appointment to the TACs as it deems necessary.
- 3.0.2 The TACs shall be limited to five members.
- 3.0.3 To the extent practical, the membership of the TACs shall provide for broad representation of the licensees in the discipline represented by the TAC.
- 3.0.4 All TAC members shall have a current and valid license in the discipline represented throughout their tenure on the TAC.

## **3.1 TERMS OF APPOINTMENT**

- 3.1.1 Members of the TACs shall be appointed for a two-year term, beginning on July 1, and shall serve at the pleasure of the Board.
- 3.1.2 Appointments of TAC members should be limited to three terms.
- 3.1.3 The initial appointments to a newly-created TAC should be made so half of the appointees serve one-year terms and the remainder serve regular two-year terms.

## **3.2 VACANCIES**

- 3.2.1 A vacancy in the membership of any TAC shall be filled by the Board.

### **3.3 BOARD LIAISONS**

- 3.3.1 The Board President shall designate two Board members to serve as Board Liaisons to the TAC, one of whom shall be the corresponding professional member and one who is a public member.
- 3.3.2 The Board Liaisons are not members of the TAC and do not have voting privileges at TAC meetings. The role of the Board Liaisons is to provide guidance to the TAC on the topics assigned to it by the Board and to report to the Board the actions and recommendations of the TAC.
- 3.3.3 The professional member will be the senior representative and will make reports to the Board and recommendations on matters calling for Board action, including recommendations on appointments of individuals to serve on the TAC. The public member will report to the Board in the professional member's absence.
- 3.3.4 All transactions between the TAC and the Board, and the Board and the TAC shall be through the Board Liaisons.

## **ARTICLE IV: MEETINGS OF THE TECHNICAL ADVISORY COMMITTEES**

### **4.0 SCHEDULE OF TAC MEETINGS**

- 4.0.1 TACs shall meet only when topics have been assigned to them by the Board. TACs shall not meet to discuss topics that have not been assigned by the Board.
- 4.0.2 The number of TAC meetings during the year will be governed by the approved budget and by approval of the Board. The locations of the TAC meetings shall be designated by the Chair of the TAC after coordination with the Board Liaisons and the Executive Officer.
- 4.0.3 TAC meetings in excess of those approved in the annual workplan may not be called unless approved by the Board President, the Board Liaisons, and the Executive Officer.

### **4.1 QUORUM**

- 4.1.1 Three TAC members shall constitute a quorum for the transaction of TAC business. A quorum shall be present to conduct business.

### **4.2 OFFICERS**

- 4.2.1 Each TAC shall elect a Chairperson and may designate a Vice-Chairperson or other such person to act in the Chairperson's absence.

### **4.3 VOTING**

4.3.1 TAC Chairpersons may vote on all motions before their committees and may participate in the debate of questions and motion.

4.3.2 Only TAC members shall vote on matters pending in TAC meetings.

## **ARTICLE V: ROLE OF THE CHAIR AND VICE CHAIR**

### **5.0 DUTIES AND RESPONSIBILITIES OF THE CHAIRPERSON**

5.0.1 The Chairperson shall preside at all TAC meetings.

5.0.2 The Chairperson shall ensure compliance with the Bagley-Keene Open Meeting Act for all aspects of TAC meetings, including but not limited to preparing notices and agendas for and minutes of the meetings.

5.0.3 The Chairperson shall ensure the preparation of TAC reports and recommendations prior to the scheduled Board meetings and deliver these to the Board Liaisons.

### **5.1 DUTIES AND RESPONSIBILITIES OF THE VICE CHAIRPERSON**

5.1.1 The Vice Chairperson of the TAC assumes the duties of the TAC Chairperson in the full or temporary absence or temporary incapacitation of the TAC Chairperson.

## **ARTICLE VI: ACTIONS OF THE TECHNICAL ADVISORY COMMITTEES**

### **6.0 WORKPLAN**

6.0.1 Each TAC shall submit a proposed annual workplan to the Board through the Board Liaisons no later than two months prior to the beginning of each fiscal year.

6.0.2 The workplan for each TAC should contain the number of meetings required to accomplish the next year's work load.

6.0.3 Issues or topics not in the approved workplan shall be brought by the Board Liaisons to the attention of the Board for discussion and possible assignment to the TAC before such issues or topics may be discussed by the TAC.



## **6.1 ACTIONS AND RECOMMENDATIONS BY THE TAC**

- 6.1.1 The TAC may take action to approve and adopt minutes of prior TAC meetings; to schedule future meetings; and to select items for discussion at future meetings.
- 6.1.2 Any other “action” taken by the TAC must be in the form of a recommendation to be presented to the Board since the TAC has no authority to act on behalf of the Board.

## **6.2 PRESENTATION OF TAC RECOMMENDATIONS TO THE BOARD**

- 6.2.1 The TAC members shall work with the Board Liaisons and the Executive Officer regarding the presentation of any recommendations from the TAC to the Board.
- 6.2.2 Recommendations from the TAC shall be considered by the Board at a regularly scheduled Board meeting with proper notice of such consideration.

## **ATTACHMENT A**

### **ASSIGNMENT OF DUTIES TO TACS**

The Board may establish one or more technical advisory committees to advise and assist the board with respect to the following:

- 1) Application review and verification for any level of registration, licensure, authority, or title.
- 2) Evaluation and investigation of potential violations of the act.
- 3) Amendment, repeal, adoption, or revision of board rules, regulations, policies, and procedures.

#### **4. DEPARTMENT OF CONSUMER AFFAIRS (DCA)**

- Organizational Charts



Department of Consumer Affairs

FY 2023-2024

3455.1 positions

Kimberly Kirchmeyer  
Director  
Exempt

Christine Lally  
Chief Deputy Director  
Exempt

Professional  
Fiduciaries Bureau  
Rebecca May  
Chief  
Exempt

Arbitration  
Certification  
Program  
Cynthia Antar  
Program Chief

Office of Professional  
Examination Services  
Heidi Lincer  
OPES Chief

Communications  
Division  
Monica Vargas  
Deputy Director  
Exempt  
Asst. Deputy Director  
Vacant

Consumer  
Information Center  
Paul Rahul  
Manager

Legislation  
Jennifer Simoes  
Deputy Director  
Exempt  
Asst. Deputy Director  
Vacant  
Exempt

Legal Affairs Division  
Ryan Marcroft  
Deputy Director  
Exempt  
Grace Arupo-Rodriguez  
Asst. Deputy Director  
Exempt

Board and Bureau  
Relations  
Melissa Gear  
Deputy Director  
Exempt  
Yvonne Dorantes  
Asst. Deputy Director  
Exempt

Division of  
Investigation  
Kathleen Nichols  
Chief  
CEA

Administration  
Nicole Le  
Deputy Director  
CEA

Taylor Schick  
Chief Fiscal Officer  
CEA

Olivia Trejo  
Human Resources Chief  
CEA

Jared True  
Business Services Officer  
Manager

Compliance and Equity  
Tonya Corcoran  
Compliance and Equity Officer  
CEA

Enterprise Project  
Oversight  
Brian Clifford  
Manager

Equal Employment  
Opportunity Office  
Levi Hull  
Manager

Internal Audit Office  
Dadang Prihadi  
Chief

SOLID Training and  
Planning  
Shelly Jones  
Manager

Office of Information  
Services  
Jason Piccione  
Deputy Director  
CEA

Information Security  
Office  
Vacant  
Chief

Division of  
Programs and  
Policy Review  
Vacant  
Chief  
CEA

**Bureaus**  
Bureau of Automotive Repair  
Exempt, BAR Chief  
Exempt, BAR Asst. Chief  
CEA, BAR Deputy Chief, Smog Check Operations, Engineering  
and Research  
CEA, BAR Deputy Chief, Field Operations  
CEA, BAR Deputy Chief, Licensing & Admin  
Cemetery & Funeral Bureau  
CEA, CFB Chief  
Bureau of Household Goods & Services  
Exempt, BHGS Chief  
Bureau for Private Postsecondary Education  
Exempt, BPPE Chief  
CEA, BPPE Deputy Bureau Chief, Licensing  
CEA, BPPE Deputy Bureau Chief, Enforcement  
CEA, BPPE OSAR/STRF  
Bureau of Real Estate Appraisers  
Exempt, BREA Chief  
CEA, BREA Deputy Chief of Licensing & Admin. Services  
CEA, BREA Deputy Chief of Enforcement  
Bureau of Security & Investigative Services  
Exempt, BSIS Chief

**Boards/Committee/Commission**  
**Executive Officers, Committee & Commission Members – ALL EXEMPT**  
Board of Accountancy  
CEA, CSA Chief of Enforcement  
CEA, CSA Chief of Licensing  
Board of Acupuncture  
Architects Board  
Athletic Commission  
Board of Barbering & Cosmetology  
Board of Behavioral Sciences  
CEA, BBS Assistant EO  
Board of Chiropractic Examiners  
Contractors State License Board  
CEA, CSLB Chief Deputy Registrar  
CEA, CSLB Chief of Enforcement  
CEA, CSLB Chief of Licensing  
CEA, CSLB Chief of Legislation  
CEA, CSLB Chief of Public Affairs  
Court Reporters Board  
Dental Board  
Dental Hygiene Board  
Medical Board  
CEA, MBC Deputy Director  
CEA, MBC Chief of Enforcement  
CEA, MBC Chief of Licensing  
CEA, MBC Chief of Legislation  
Naturopathic Medicine Board  
Board of Occupational Therapy  
Board of Optometry  
Osteopathic Medical Board  
Board of Pharmacy  
CEA, BOP Assistant EO  
CEA, BOP Chief of Enforcement  
CEA, BOP Chief of Enforcement  
Physical Therapy Board  
Physician Assistant Board  
Board of Professional Engineers,  
Land Surveyors & Geologists  
Podiatric Medical Board of California  
Board of Psychology  
Board of Registered Nursing  
CEA, BRN Assistant EO  
CEA, BRN Chief of Licensing  
CEA, BRN Chief of Legislative Affairs  
Respiratory Care Board  
Speech-Language Pathology &  
Audiology & Hearing Aid Dispensers Board  
Structural Pest Control Board  
Veterinary Medical Board  
Board of Vocational Nursing &  
Psychiatric Technicians  
CEA, BVNPT Assistant EO

October 2023





CALIFORNIA DEPARTMENT OF  
**CONSUMER**  
A F F A I R S

# STRATEGIC PLAN 2022–2027

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## DCA EXECUTIVE TEAM

**Kimberly Kirchmeyer**, *Director*

**Christine Lally**, *Chief Deputy Director*

**Grace Arupo Rodriguez**, *Assistant Deputy Director, Legal Affairs Division*

**Brian Clifford**, *Senior Planning and Implementation Manager*

**Tonya Corcoran**, *Compliance and Equity Officer*

**Nicole Le**, *Deputy Director, Office of Administrative Services*

**Ryan Marcroft**, *Deputy Director, Legal Affairs Division*

**Melissa Gear**, *Deputy Director, Board and Bureau Relations*

**Kathleen Nicholls**, *Deputy Chief, Division of Investigation*

**Jason Piccione**, *Deputy Director, Office of Information Services*

**Jennifer Simoes**, *Deputy Director, Legislative Affairs Division*

**Monica Vargas**, *Deputy Director, Communications Division*

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**Gavin Newsom**, *Governor*

**Lourdes M. Castro Ramírez**, *Secretary, Business, Consumer Services and Housing Agency*

# MESSAGE FROM THE DIRECTOR

As the director of the Department of Consumer Affairs (DCA), I am proud to share DCA's 2022-2027 Strategic Plan.

DCA is uniquely comprised of various entities that license and regulate millions of professionals in more than 280 license types. This plan outlines DCA's organizational objectives and path forward for upcoming years. With our mission, vision, and values as touchstones, we pledge to protect the 40 million Californians who depend on the Department for their health, safety, and services.

The Department holds itself to a high standard in providing outstanding support services, oversight, and innovative solutions to those who regulate California professionals and vocations so that—through this partnership—all Californians are informed, empowered, and protected.

Our state's values are a source of pride: They are the gift of our past and the foundation of our future as we create and celebrate a California for All. These values are evident in DCA's strong commitment to diversity, equity, and inclusion, as well as in our shared dedication to each and every consumer.

For nearly 150 years, California—the Golden State—has served as the nation's gold standard for consumer protection. With this latest Strategic Plan, DCA will build upon California's legacy of leadership and service by focusing on goals in six key areas:

1. Policy and Advocacy
2. Communications
3. Organizational Effectiveness and Services
4. Technology
5. Enforcement
6. Licensing

Like consumer protection itself, this Strategic Plan is a true team effort, drawing on the diversity, expertise, and dedication of our staff. This guiding document is the direct result of feedback, insights, and inspiration from employees at all levels. It belongs to all those who participated, to those we support, and to our entire workforce. On behalf of DCA, I thank all who played a role in this vital process.

I invite all DCA employees to join me in implementing this Strategic Plan. Together, we protect California consumers.



Kimberly Kirchmeyer  
Director, Department of Consumer Affairs

## ABOUT US

DCA is a unique and dynamic department made up of 36 different boards, bureaus, a committee, a commission, and a program (referred to as boards and bureaus hereafter) that license and regulate more than 3.4 million licensees in more than 280 license types including certificates, registrations, and permits. Together, DCA protects and serves consumers in many ways:

- **DCA is a service provider**—Through several administrative divisions and offices, including Communications, Legislative Affairs, Legal Affairs, Human Resources, Business Services, Fiscal Office, and Information Technology, DCA provides oversight and support services for these boards and bureaus to assist them in their mission of consumer protection.
- **DCA is an educator**—DCA and its licensing boards and bureaus educate consumers by giving them information they need to avoid being victimized by unscrupulous, unlicensed, or unqualified people who promote deceptive or unsafe services.
- **DCA is a licensing entity**—Through its licensing boards and bureaus, DCA licenses more than 3.4 million professionals and enables consumers to check the license status of these professionals online or by phone.
- **DCA is a regulator**—Through its licensing boards and bureaus and its Division of Investigation, DCA investigates consumer complaints on issues under its jurisdiction. If violations are found, license holders can face discipline that may include probation, suspension or revocation of a license, fines and citations, letters of reprimand, cease and desist orders, or criminal charges.

DCA is committed to supporting the core mission of consumer protection, which is shared by all its boards and bureaus. The individuals who serve at DCA inform and empower consumers, promote consumer interests before lawmakers, enforce consumer protection laws, collaborate with law enforcement to fight consumer fraud, promote use of fair and valid licensing examination programs, and work to ensure that consumers are protected in California.

# MISSION, VISION, AND VALUES

## Our Mission

Provide outstanding support services, oversight, and innovative solutions to boards and bureaus that regulate California professionals and vocations so that through this partnership all Californians are informed, empowered, and protected.

## Our Vision

Together, protecting California consumers.

## Our Values

- Accountability
- Communication
- Consumer Protection
- Diversity
- Equity
- Inclusion
- Innovation
- Integrity
- Leadership
- Teamwork
- Transparency
- Trust

# GOAL 1: POLICY AND ADVOCACY

DCA advocates on behalf of boards and bureaus by ensuring that statutes, regulations, policies, and procedures support and further the mandates and mission of DCA.

- 1.1** In partnership with the boards and bureaus, evaluate the regulation process to promote efficiency, reduce time frames, and maximize resources, consistency, and transparency.
- 1.2** Establish a regulatory subject matter expert group to promote an understanding of the regulatory process, provide mentorship, and develop best practices.
- 1.3** Standardize coordination, monitoring, and assessment of legislation implementation to ensure compliance with statutory requirements.
- 1.4** Develop continuing education guidelines to ensure the education creates a more competent licensing population to enhance public protection.
- 1.5** Establish a committee to build a sustainable diversity, equity, and inclusion strategy to strengthen policies, enhance training, and provide opportunities for employee engagement.

## GOAL 2: COMMUNICATIONS

DCA provides resources, tools, and support for delivering relevant, timely, and accurate information.

- 2.1** Develop an internal communications plan for consistency and efficiency of content delivery.
- 2.2** Develop an external communications plan to standardize communication, reach diverse audiences, and educate about DCA's roles and responsibilities.
- 2.3** Promote the development of consistent, efficient, and relevant content to increase awareness of DCA's value to boards and bureaus.
- 2.4** Highlight DCA success stories and services available to consumers to assist boards and bureaus to raise awareness of their consumer protection efforts with the public.
- 2.5** Expand outreach through multilingual communications, partner agencies, stakeholder groups, trusted messengers, and other strategies to increase accessibility, awareness, and utilization of resources for consumers, licensees, and future applicants.
- 2.6** Utilize innovative modes of communication to enhance user experience and reduce service request wait times for call centers.

## GOAL 3: ORGANIZATIONAL EFFECTIVENESS AND SERVICES

DCA utilizes effective leadership, governance, and best practices to provide oversight and quality services to support the boards and bureaus.

- 3.1** Implement service catalogs with service-level targets to set expectations and provide consistent services to clients.
- 3.2** Enhance and update internal webpage/intranet information to centralize communication and resources.
- 3.3** Create a modernized board and committee member database to improve the ability of Board and Bureau Relations to provide services to the boards, bureaus, agencies, and the Governor's Office.
- 3.4** Assess feedback from boards and bureaus on central services to improve customer service.
- 3.5** Equip leaders, managers, and supervisors with the tools and resources to establish results-based management.
- 3.6** Utilize innovative methods to expand recruitment efforts and widen candidate pools to enhance DCA's ability to fill vacancies with qualified applicants.
- 3.7** Implement a more comprehensive onboarding process to prepare employees for working at DCA and understanding their roles in supporting DCA's mission.
- 3.8** Implement a more comprehensive offboarding process for employees to promote better security and safety.
- 3.9** Incorporate implicit bias awareness training for all employees to create a culture of awareness of implicit bias and how it may impact the decision-making process.
- 3.10** Create a pool of licensing and enforcement experts to transfer knowledge to existing staff and assist with mission-critical workloads during times of influx.
- 3.11** Capitalize on lessons learned and best practices from COVID-19 to eliminate barriers, improve processes, and modernize services.

## GOAL 4: TECHNOLOGY

DCA addresses business needs through creative, secure, and intuitive solutions.

- 4.1** Create Department-wide security architecture to ensure data security and compliance with the state's CAL-Secure Initiative.
- 4.2** Continue DCA Business Modernization efforts for all boards and bureaus to enhance digital user experience and reduce carbon footprint.
- 4.3** Encourage DCA divisions to assess critical internal processes and reduce processing times.
- 4.4** Implement a tracking system for DCA services to ensure accountability.
- 4.5** Develop a DCA-wide mobile application to increase access and outreach to consumers.
- 4.6** Develop measurement tools to transition to results-based management focusing on performance, delivery, efficiency, and accountability.



## GOAL 5: ENFORCEMENT

DCA provides resources for its boards and bureaus to promptly protect consumers from harmful conduct by unlicensed and licensed professionals who pose a threat to the public's health, safety, and welfare.

- 5.1** Enhance the quality, thoroughness, and timeliness of Division of Investigation (DOI) investigations to provide boards and bureaus with efficient services to protect consumers and employees.
- 5.2** Strengthen communication with the boards and bureaus to provide updates and transparency on investigation progression.
- 5.3** Restructure the cost model for client billing of DOI services.
- 5.4** Standardize training for DOI staff to achieve consistency and maintain quality investigations.
- 5.5** Provide special investigative (non-sworn) services for appropriate<sup>1</sup> cases to reduce costs and timelines for boards and bureaus without non-sworn investigators.
- 5.6** Utilize subject-matter experts and technology to standardize processes, identify enforcement and enforcement data best practices, and improve training for enforcement staff.
- 5.7** Reestablish enforcement user groups to achieve more accurate and standardized data collection and reports.
- 5.8** Provide boards and bureaus with standardized language and content to promote understanding of the enforcement process.
- 5.9** Standardize public posting of disciplinary actions to educate consumers and increase awareness.

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<sup>1</sup> Prioritization Category 3 & 4.

## GOAL 6: LICENSING

DCA provides resources for boards and bureaus to expeditiously license qualified applicants to allow timely entrance into the workforce, avoid establishing artificial barriers to licensure, and maintain consumer protection.

- 6.1** Partner with boards and bureaus to develop a standardized structure to promote understanding of licensing requirements and processes to potential applicants, licensees, and other external stakeholders.
- 6.2** Utilize subject matter experts and technology to standardize processes, identify licensing and licensing data best practices, and improve training for licensing staff.
- 6.3** Standardize training for board and bureau staff to achieve consistency and maintain quality standards among all licensing processes.
- 6.4** Reestablish licensing user groups to achieve more accurate and standardized data collection and reports.
- 6.5** Monitor and assess data to ensure licensing resources and services are expeditiously provided for military members and their families.
- 6.6** Partner with boards and bureaus to evaluate occupational licensing requirements to comply with Business and Professions Code section 139 and reduce potential barriers to licensure.

## STRATEGIC PLANNING PROCESS

To understand the environment in which DCA operates and to identify factors that could impact the Department's success, the DCA SOLID Planning Unit (SOLID) conducted an environmental scan of the internal and external environments by collecting information from different stakeholder groups. Interviews were conducted with members of the DCA executive team and DCA centralized services deputy and division chiefs. Additionally, an online survey was sent out to board and bureau leadership, board and committee members, and external stakeholders. A total of 230 people participated in providing feedback for the environmental scan.

The most significant themes and trends identified from the environmental scan were discussed by the Department's executive team during strategic planning sessions facilitated by SOLID. This information guided the executive team in the review of its mission, vision, and values while directing the strategic goals and objectives outlined in its new strategic plan.

## NOTES

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.



CALIFORNIA DEPARTMENT OF  
**CONSUMER**  
A F F A I R S

**Department of Consumer Affairs—Executive Office**

1625 North Market Blvd., Suite S-308

Sacramento, CA 95834

**[www.dca.ca.gov](http://www.dca.ca.gov)**

**Strategic Plan Adopted on June 1, 2022**

This strategic plan is based on stakeholder information and discussions facilitated by SOLID for the Department of Consumer Affairs. Subsequent amendments may have been made after the adoption of this plan.



CALIFORNIA DEPARTMENT OF  
**CONSUMER**  
A F F A I R S

**Prepared by:**

SOLID Planning Solutions

1747 North Market Blvd., Suite 270

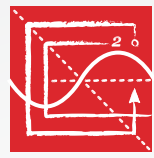
Sacramento, CA 95834

## **5. NCEES, ABET, AND ASBOG**

- National Council of Examiners for Engineering and Surveying (NCEES) Strategic Plan
- Guide for Observers on ABET, Inc., Accreditation Visits
- National Association of State Boards of Geology (ASBOG) Mission Statement and Objectives







**NCEES**  
*advancing licensure for  
engineers and surveyors*



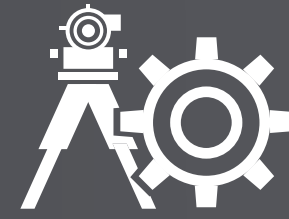
## Our Vision

The vision of NCEES is to provide leadership in professional licensure of engineers and surveyors through excellence in uniform laws, licensing standards, and professional ethics in order to safeguard the health, safety, and welfare of the public and to shape the future of professional licensure.

## Our Mission

The mission of NCEES is to advance licensure for engineers and surveyors in order to safeguard the health, safety, and welfare of the public.

This mission is supported through its member boards, board of directors, staff, board administrators, and volunteers by



## National Council of Examiners for Engineering and Surveying Strategic Plan

- Providing outstanding nationally normed examinations for engineers and surveyors
- Providing uniform model laws and model rules for adoption by the member boards
- Promoting professional ethics among all engineers and surveyors
- Coordinating with domestic and international organizations to advance licensure of all engineers and surveyors

## Strategies



- Promotion of licensure
- NCEES services
- Governance



Approved November 2019



### Promotion of licensure

Use available resources to promote the value of engineering and surveying licensure and how licensure benefits and protects the public.



### NCEES services

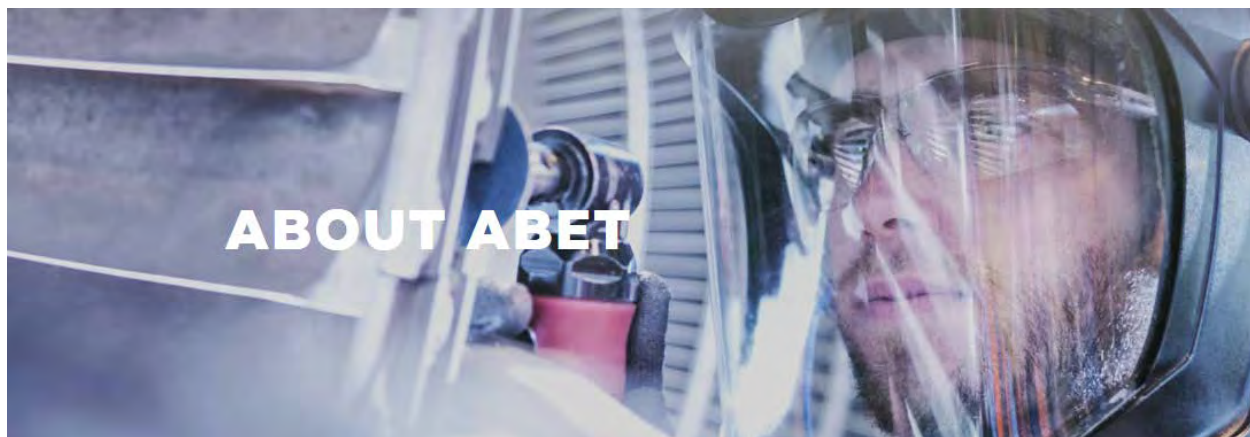
Evaluate new and existing services and processes that will further support the public protection activities of NCEES member boards.



### Governance

NCEES' governance system, processes, structure, and infrastructure will provide support and resources to member boards to help them develop and maintain common sense, public protection-driven regulation of engineering and surveying licensure.





We accredit college and university programs in the disciplines of applied and natural science, computing, engineering and engineering technology at the associate, bachelor and master degree levels.

With ABET accreditation, students, employers and the society we serve can be confident that a program meets the quality standards that produce graduates prepared to enter a global workforce.

We began as the educational standard against which professional engineers in the United States were held for licensure. Today, after more than 80 years, our standards continue to play this fundamental role and have become the basis of quality for over 40 disciplines all over the world.

Developed by technical professionals from ABET's member societies, our criteria focus on what students experience and learn. Sought worldwide, ABET's voluntary peer-review process is highly respected because it adds critical value to academic programs in the technical disciplines, where quality, precision and safety are of the utmost importance.

Our more than 2,200 experts come from industry, academia and government. They give their time and effort supporting quality assurance activities around the world by serving as program evaluators, commissioners, board members and advisors.

ABET is a nonprofit, non-governmental organization recognized by the Council for Higher Education Accreditation ([CHEA](#)).

**GUIDE FOR OBSERVERS  
ON  
ACCREDITATION VISITS**

**ABET**

415 North Charles Street  
Baltimore, Maryland, U.S.A.

Telephone: 410-347-7700  
Fax: 410-625-2238  
E-mail: [accreditation@abet.org](mailto:accreditation@abet.org)

## Introduction

ABET, Inc. sends teams of evaluators to campuses around the world for the purpose of determining whether programs satisfy the accreditation criteria of one or more of ABET's Commissions. Observers are often included on these teams for the purpose of learning how the ABET accreditation process works. These observers generally fall into one of the following categories:

- A. Observers representing one of ABET's Member Societies The purpose of observers in this instance is to provide training to individuals who have been selected by their Society to serve as Program Evaluators.
- B. Observers representing one of the State Boards for Professional Registration within the United States The purpose of observers in this instance is to provide the State Boards with first-hand information about how ABET's accreditation process functions.
- C. Observers representing one of ABET's sister accreditation agencies either within or outside of the United States The purpose of observers in this instance is to share information about ABET's accreditation process.
- D. Observers representing a home-country's accreditation agency or national education authority outside of the United States The purpose of observers in this instance is to facilitate mutual learning in quality assurance for higher education between organizations.

This document is intended to provide information about how arrangements for observers are made and how observers should participate in the visit.

## Historical Background

There are several steps in ABET Program Evaluator training. Initially, Program Evaluator candidates who are selected by the ABET Member Societies attend ABET Program Evaluator training. Candidates who successfully complete the training requirements may then be required to accompany an experienced program evaluator from their Society as an observer on a program visit. This requirement is imposed by the Societies and not by ABET.

ABET, formerly the Engineers' Council for Professional Development, was founded in 1932. Then, as now, the State Boards of Professional Registration sought means by which the educational credentials of applicants to the licensure process could be validated. Those programs in engineering which are accredited by the Engineering Accreditation Commission of ABET have met the basic requirements of preparing individuals to enter the engineering profession. The State Boards of Professional Registration rely on the accreditation process as a means of assuring the quality of engineering graduates. In order for the State Boards to be familiar with and to ascertain the quality of the accreditation process, ABET invites representatives of the State Boards to participate in accreditation visits as observers.

Moreover, ABET is often asked by its sister accreditation agencies to permit observers for the purpose of sharing information about its accreditation process. In many instances, these observers represent accreditation agencies outside the US that are in the process of formation.

Lastly, ABET extends an observer invitation to those accreditation agencies outside US which approved programs to seek ABET accreditation. Programs outside the US new to ABET must submit an

appropriate approval (Request for Approval; RFA) from the home-country's highest national accreditation agency or educational authority. The requirement of such approval submission stems from the fact that ABET must ascertain that programs are housed in a financially and educationally stable institution. In addition, ABET respects the program's in-country quality assurance system and does not wish to interfere with existing accreditation activities. Having observers from accreditation agencies or education authorities outside the US offers a great opportunity for ABET teams and the local organizations to share in exchange and mutual learning in the sphere of quality assurance for higher education.

### **How are Arrangements made for an Observer to be included in a Visit Team?**

- **How is an observer assignment initiated?**

Observers from Category A -- Society Trainees: The Society should include observer nominees along with their Program Evaluator assignments provided to ABET. The Team Chair will then contact the observer to complete the arrangements.

Observers from Category B -- State Board Observers: ABET will advise the State Boards of upcoming visits after visit dates have been confirmed and posted. Contact information for the Team Chair will be provided by ABET to the State Board. The State Board and the Team Chair should communicate directly concerning the inclusion of an observer on the visit.

Observers from Category C -- Observers from sister accreditation agencies: A request from a U.S. accreditation agency should be made to ABET by e-mail ([accreditation@abet.org](mailto:accreditation@abet.org)) to secure initial approval. In the case of accreditation agencies outside the US, a request should be made to ABET by e-mail ([international@abet.org](mailto:international@abet.org)) to secure initial approval. This request should include a current, brief biographical resume of the observer and the reason for the request.

Observers from Category D -- Observers from accreditation agencies or education authorities outside the US: The participant's name, biographical resume, and complete contact information must be provided to ABET HQ by e-mail ([accreditation@abet.org](mailto:accreditation@abet.org) or the designated contact) no later than August 31<sup>st</sup> following the submission of a Request for Approval (RFA).

- **How is final approval of the observer's participation obtained?**

In the cases of observers from Category A and Category B, the Team Chair, and the institution being visited must approve each observer included on the visit team. In the cases of observers from Category C and Category D, ABET Headquarters (HQ) in addition to the Team Chair and the institution being visited must approve each observer candidate before being included on the visit team.

Any observer who fails to comply with the observer approval procedure, the policies pertaining to conflict of interest and confidentiality, or the guidelines provided below will not be included in the visit team.



- **Who pays the observer's expenses?**

ABET is **not** responsible for reimbursement of observer expenses. An observer should contact his/her sponsoring organization to determine policies for reimbursement of travel expenses.

## **Conflict of Interest**

In no case will an observer be accepted if the individual has a real or perceived conflict of interest with respect to the institution being visited. Conflicts of interest include graduates, faculty members, or members of boards or committees of that or neighboring institutions. Conflict of interest questions should be broadly construed as applicable to any individual who, in some way or another, is related to the institution or may have any interest in the institution other than the accreditation visit.

In the case of State Board observers, it is understood that the issue of conflict of interest must be interpreted in a less restrictive way. Graduates of the institution may be acceptable as long as they are not active in alumni groups or other functions related to the institution in positions of leadership which might affect their objectivity or inhibit interaction with the institution. A common-sense rule should be applied.

Questions related to potential conflicts of interest should be directed to the Accreditation Director ([accreditation@abet.org](mailto:accreditation@abet.org)).

## **Confidentiality during the accreditation process**

All aspects of the visit must be regarded as STRICTLY CONFIDENTIAL. Observers may provide information related to the accreditation process to their own organization. However, they must not relate information about any specific accreditation issues or recommended actions to anyone other than members of the visiting team. Observers must sign the ABET Observer Confidentiality and COI Form prior to the visit. The signed copy should be sent to the Team Chair with a copy to [accreditation@abet.org](mailto:accreditation@abet.org).

Observers will be furnished the same information as provided by the institution to the visiting team. These materials must be considered to be confidential. Upon completion of the visit, these materials should be returned to the Team Chair or destroyed.

## **Guidelines for Observers**

The accreditation visit is carried out by ABET at the invitation of the institution. All communications with the institution must be made through ABET's agent, the Team Chair.

During the observer approval process prior to acceptance, the observer and the represented agency should NOT contact the visit institution in order to ensure the observer approval process is clear and fair; all coordination must be made through ABET HQ and/or the ABET Team Chair.

Observers from Category D must provide ABET HQ with the requisite information including a current biographical resume, name and complete contact information by August 31<sup>st</sup> well before the scheduled

accreditation visits. Any observer who fails to adhere to the approval process protocol will not be included in the visit team.

Observers must refrain from giving any interpretations of the accreditation criteria or any assumption pertaining to accreditation decisions. The ABET team members are assigned to evaluate specific curricula and support areas. They have received their appointment at the recommendation of the ABET Member Society whose discipline they represent and have been appropriately trained.

Observers do not have authority to act as official program evaluators. However, the Team Chair may, with the consent of the observer and the institution, assign an observer any duties which will enhance the quality of the visit without conflicting with the duties of the designated Program Evaluators.

Observers are invited to participate in all meetings and discussions, to ask questions, and to make comments when appropriate. However, care must be exercised that any comments to the institution must be in conformity with the applicable accreditation criteria.

Observers should become familiar with the applicable accreditation criteria. These criteria and related documents are available on the ABET website ([www.abet.org](http://www.abet.org)).

Observers are encouraged to arrange to stay for the entire period of the visit. Considering the multilateral effort which goes into the scheduling, preparation and management of the visit, observers, once committed, are encouraged to participate in the entire visit.

Observers must not carry out any personal business, or any business on behalf of their organizations, while participating as observers on ABET visits.

Observers are encouraged to submit a report on their observations to the Team Chair following the visit. ABET Headquarters should also be provided with a copy of any report made to the Team Chair or to the observer's own organization.

Observers should not expect to participate in the portion of the accreditation process that occurs after the visit. ABET's invitation to participate in a visit does not extend to the portion of the accreditation process that occurs after the visit.

## **Guidelines for Team Chairs**

The Team Chair will thoroughly check for any real or perceived conflict of interest upon receiving the candidate's information prior to confirming an approval from the visit institution, before rendering a decision on inclusion of the individual in the team. Observer approval or rejection by the team chair must be substantiated through strict adherence to the conflict-of-interest criteria.

In arranging the visit, the dean of the institution or the designated contact person should be advised of any observers, participants' role on the team, and the institution's right for declination. Approval should be obtained for all observers accompanying the team.

The Team Chair, not the institution, should handle all negotiations between the ABET Member Societies, State Boards, or other organizations and the institution.



All team members should be briefed on the duties and limitations of observers accompanying the visiting team. There should be no misunderstanding as to the assigned roles of the various team members.

Observers should be reminded that they are not authorized to interpret accreditation criteria or to express opinions to the institution that might be construed as reflecting ABET policy or accreditation decisions.

The Team Chair should handle any complaint regarding the participating observer reported by the visit institution during the on-site visit or report to HQ for advice. All Team Chairs are encouraged to share their feedback with HQ if there is anything worth attention or improvement.

Observers should not carry out any official duties on behalf of their organization or conduct any personal business during the visit.

The observer from a ABET Member Society should work primarily under the direction of the Member Society's Program Evaluator.

The Team Chair may, with the consent of the observer and the institution, assign to an observer any duties which will enhance the quality of the visit without conflicting with the duties of the designated Program Evaluators. However, observers do not have authority to act as Program Evaluators.

Observers should be encouraged to report their observations to the Team Chair, either orally or in written form. They should be requested to provide ABET Headquarters with information copies of any reports submitted to the Team Chair or their organization.

### **Guidelines for Visit Institutions**

The ABET Team Chair will advise the dean of the visit institution or the designated contact person as to any potential observers before being approved by the institution and officially included in the evaluation team. These candidates must be approved by ABET (HQ and the Team Chair) prior to inquiry of the visit institution's decision.

Institutions should not accept any observers who have not been approved by ABET HQ and the Team Chair. In the event that any observer candidate or accreditation agency contacts the visit institution without going through ABET, the institution should refer this individual/agency to contact ABET and refrain from accepting any observer until receiving a written notification from ABET HQ or its agent, the Team Chair.

Institutions should feel free to share their feedback or report any inappropriate behaviors and comments regarding the participating observers to ABET HQ or the Team Chair.

## **CONFIDENTIALITY OF INFORMATION**

(Section Fourteen, ABET Rules of Procedure)

### **CONFIDENTIALITY**

#### **A. Ethical Conduct:**

ABET requires ethical conduct by each volunteer and staff member engaged in fulfilling the mission of ABET. The organization requires that every volunteer and staff member exhibit the highest standards of professionalism, honesty, and integrity. The services provided by ABET require impartiality, fairness, and equity. All persons involved with ABET activities must perform their duties under the highest standards of ethical behavior. It is the policy of ABET that information provided by the institution is for the confidential use of ABET and its agents, and will not be disclosed without specific written authorization of the institution concerned.

#### **B. Privileged Information:**

The contents of all materials furnished for review purposes and discussion during the Commission meetings are considered privileged information. The contents of those documents and the accreditation actions taken may be disclosed only by staff, and only under appropriate circumstances. All communications between institutions and evaluators or Commissioners regarding final accreditation actions must be referred to ABET headquarters.

## CONFLICT OF INTEREST AND CONFIDENTIALITY STATEMENT

I have received and read the ABET Conflict of Interest and Confidentiality Policies. I understand that the intent of these policies is to disclose real or perceived conflicts of interest, to recuse myself from decisions and discussions related to real or perceived conflicts of interest, to act impartially and avoid the appearance of impropriety, and to protect the confidential nature of the accreditation process. I will not participate in any decision-making capacity regarding the accreditation of a program if I have or have had a close, active association with an institution or program that is being considered for official action by ABET. I will not participate in any decision for which I, or the organization that I represent, may benefit materially.

In addition, I understand that materials furnished for the visit are considered privileged information and, consequently, are confidential. **I understand that no copies may be made of any materials or documents provided as part of the accreditation decision-making process.**

All elements of ABET's accreditation process are to be treated in a professional and confidential manner. Both ethical and legal considerations demand that the information acquired through the accreditation process not be used for purposes other than the accreditation process unless prior permission is obtained from the institution or program.

---

Signature

---

Print Name

Date

---

Position



## *National Association of State Boards of Geology*

### **Mission Statement**

ASBOG® serves as a connective link among the individual state geologic registration licensing boards for the planning and preparation of uniform procedures and the coordination of geologic protective measures for the general public.

One of ASBOG®'s principal services is to develop standardized written examinations for determining qualifications of applicants seeking licensure as professional geologists. State boards of registration are provided with uniform examinations that are valid measures of competency related to the practice of the profession. Examination candidates are provided with a copy of the Professional Geologist Candidate Handbook which delineates the format and outline for the exam.

**6. TRAVEL INFORMATION**

- Travel Guide
- Travel Expense Claim Form
- Travel Information At-A-Glance
- Board Member Time Log



## Travel Information At-A-Glance

### ✈ TRAVEL ARRANGEMENTS

You must contact the Board Liaison, Celina Calderone at (916) 999-3595 to secure all travel arrangements. This includes air, rental car, and lodging. Please refrain from making them on your own.

### 🍽 MEALS

Starts trip at or before...	And returns from trip at or after...	Then you are entitled to...
6:00 a.m.	8:00 a.m.	Breakfast \$7.00
11:00 a.m.	2:00 p.m.	Lunch \$11.00
5:00 p.m.	7:00 p.m.	Dinner \$23.00

If you travel for less than 24 hours, you are not entitled to a lunch reimbursement unless you are attending official Board or TAC meetings.

You will accrue \$5 incidentals for every 24 hours of travel.

### 🏠 LODGING

Lodging Reimbursement	Up to the Maximum Rate
Statewide (except for those listed below)	\$90 room rate plus taxes
Napa, Riverside, Sacramento Counties	\$95 room rate plus taxes
Marin	\$110 room rate plus taxes
Los Angeles, Orange, Ventura Counties and Edwards Air Force Base	\$120 room rate plus taxes
Monterey, San Diego Counties	\$125 room rate plus taxes
Alameda, San Mateo, and Santa Clara Counties	\$140 room rate plus taxes
City of Santa Monica	\$150 room rate plus tax
San Francisco County	\$250 room rate plus tax

### 🚗 MILEAGE

Mileage is calculated at 57.5 cents per mile. This includes mileage to/from meeting site or to/from airport.

### 📄 TRAVEL EXPENSE CLAIMS

While on travel status, make sure to keep all original receipts as you will need to hand them in with your *Travel Expense Information sheet*. Once travel has been completed, please submit your *Travel Expense Information sheet* including original receipts outlined below.

- Lodging
- Flight itinerary (even though prepaid by the Board)
- Rental Car Receipt (even though paid for by Board)
- Parking – Do not use valet, however, some hotels only offer this services please note on your claim.
- Cab fare, Uber, or Lyft
- Meal receipts
- Fuel for rental car\*

\*All employees are required to decline the Fuel Service Option (FSO) when renting a vehicle on state business as it is for the convenience of the traveler and is not a reimbursable expense. Please refuel the rental car prior to returning it to the rental agency.

### 💰 BOARD MEMBER STIPEND

You will be paid \$100 per day while on Board business. This includes Board and TAC meetings, outreach, hearings, interviews, review of disciplinary recommendations, etc. You will record this time on the *Board Member Time Log*. This is to be completed every month in the event you attended any Board functions and turned in no later than the 10<sup>th</sup> of the following month.







Board for Professional Engineers,  
Land Surveyors, and Geologists

## BOARD/TAC MEMBER TRAVEL EXPENSE INFORMATION

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_

ZIP \_\_\_\_\_

DAYTIME PHONE NUMBER \_\_\_\_\_

MEETING LOCATION \_\_\_\_\_

PURPOSE OF MEETING \_\_\_\_\_

DATE OF DEPARTURE \_\_\_\_\_

TIME OF DEPARTURE \_\_\_\_\_

DATE OF RETURN \_\_\_\_\_

TIME OF RETURN \_\_\_\_\_

EXPENSES	AMOUNT BILLED	NOTES
LODGING	\$ _____	
MILEAGE FOR PRIVATELY OWNED VEHICLE	ROUND TRIP MILEAGE _____ MILES	VEHICLE LICENSE PLATE # _____
PARKING	\$ _____	Airport parking must be in the economy or long-term parking lot. No valet parking permitted.
UBER/LYFT/TAXI	\$ _____	
SHUTTLE	\$ _____	
BRIDGE TOLLS	\$ _____	

**\*ORIGINAL ITEMIZED RECEIPTS ARE REQUIRED INCLUDING DEPARTMENT PAID AIRFARE AND RENTAL CAR RECEIPTS.**

I hereby certify that the above and supporting documents reflect actual expense incurred by me while on official business of the State of California.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



**Mail this form with original receipts to:**

BPESLG • ATTN: Celina Calderone  
2535 Capitol Oaks Drive, Suite 300 • Sacramento, CA 95833

Phone (916) 999-3595 • [celina.calderone@dca.ca.gov](mailto:celina.calderone@dca.ca.gov)





Board for Professional Engineers,  
Land Surveyors, and Geologists

## BOARD/TAC MEMBER TIME LOG

Please use one sheet per month. This is to be completed every month only if you attended any Board functions and turned in following the month worked no later than the 10th.

NAME	
MONTH	

DATE	PROJECT (Example: Board and Committee meetings, hearings, interviews, review of disciplinary recommendations)	Days 8 hours qualifies as one day.	Excess Hours
TOTAL DAYS & EXCESS HOURS			

I hereby certify that the above information is a true and correct statement of hours worked by me and that all hours claimed are for official business of the State of California.

Signature:\_\_\_\_\_ Date:\_\_\_\_\_



Please mail or send electronically to:

BPESLG • Attn: Celina Calderone

2535 Capitol Oaks Drive, Suite 300 • Sacramento, CA 95833

Phone (916) 263-2257 • [celina.calderone@dca.ca.gov](mailto:celina.calderone@dca.ca.gov)



## **7. LAWS AND REGULATIONS (Spiral Bound Publication)**

- Rules of the Board for Professional Engineers and Land Surveyors
- Regulations Relating to the Practices of Geology and Geophysics
- Professional Engineers Act
- Professional Land Surveyors Act
- Geologist and Geophysicist Act



# ATTACHMENT B





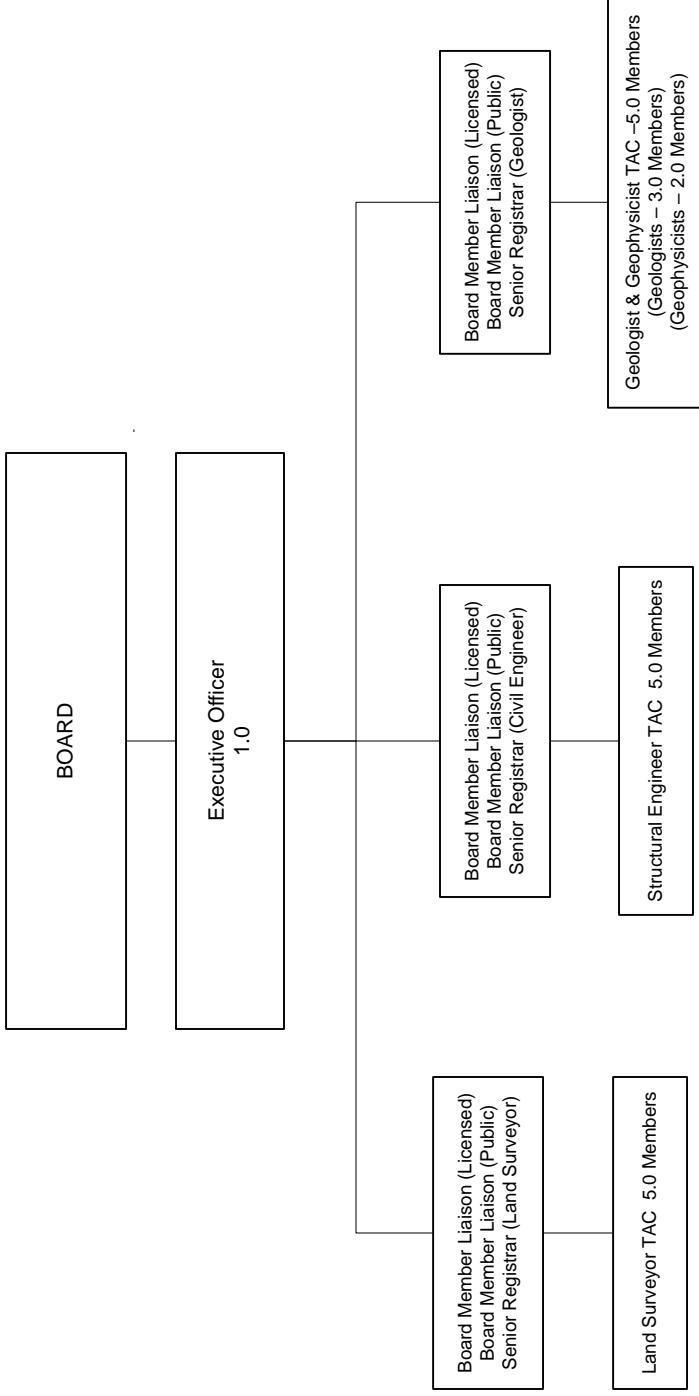
Department of Consumer Affairs  
BOARD FOR PROFESSIONAL ENGINEERS,  
LAND SURVEYORS, AND GEOLOGISTS

July 1, 2018, through June 30, 2021

Sunset Review Report

Current Organizational Chart Showing Relationship of Committees to the Board and Membership of Each Committee

Section 12 – Attachment B



All TACs disbanded as of June 30, 2021.



# ATTACHMENT C





# Board for Professional Engineers, Land Surveyors, and Geologists Strategic Plan 2022 – 2027

**Prepared by:**

SOLID Planning Solutions

Department of Consumer Affairs

Revised November 6, 2023

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## Members of the Board

Elizabeth “Betsy” Mathieson, Geologist Member, Board President

Rossana D’Antonio, Civil Engineer Member, Board Vice President

Fel Amistad, Public Member

Alireza Asgari, Structural Engineer Member

Duane Friel, Public Member

Michael Hartley, Land Surveyor Member

Kathy Jones Irish, Public Member

Eric Johnson, Electrical Engineer Member

Coby King, Public Member

Paul Novak, Public Member

Mohammad Qureshi, Traffic Engineer Member

Frank Ruffino, Public Member

Wilfredo Sanchez, Public Member

Christina Wong, Public Member

Gavin Newsom, Governor

Lourdes M. Castro Ramírez, Secretary, Business, Consumer Services, and Housing Agency

Kimberly Kirchmeyer, Director, Department of Consumer Affairs

Richard B. Moore, Executive Officer, Board for Professional Engineers, Land Surveyors, and Geologists





## Message from the Board President

This new strategic plan is being published at an exciting time for the Board. During the strategic planning process (described in the final section of this document) the Board reflected upon and responded to recent changes in society and technology as well as in its regulated professions.

We are 2-1/2 years into the global COVID-19 pandemic, having adapted to circumstances by implementing changes such as temporary teleworking for Board staff and holding two years of Board meetings via an online hosting platform that allows remote participation by Board members, staff, guests, and the public.

Increased recognition of the importance of diversity, equity, and inclusion of underserved communities led to the expansion of the Board's list of Values and the development of some important new Objectives.

The Board's ongoing rollout of its new online application/licensing portal, Connect, facilitated development of several Objectives designed to meet needs identified during internal and external surveys conducted early in the strategic planning process.

This strategic plan is but one example of the Board's incorporating input from various stakeholders. I encourage every licensee to respond to Board surveys such as the periodic job analysis surveys for exam development. I also encourage all individuals to take advantage of opportunities to provide feedback to the Board. That input will increase the Board's effectiveness in meeting the Goals described in this strategic plan and will further protection of the public.

## About the Board

- 1891
  - Licensing for land surveyors (first in nation) was enacted on March 31, 1891 by the Legislature, which also established the State Surveyor General.
- 1920s
  - The Board was created by the Legislature. Registration was for civil engineers only.
- 1930s
  - Structural Engineer license was added by the Legislature.
  - State Surveyor General's office was abolished and Land Surveyor licensing authority was transferred to the Board by the Legislature.
- 1940s
  - The Legislature added restrictions on use of engineering titles (this began the creation of the "title acts") for the branches of professional engineering in the fields of chemical, electrical, mechanical, and petroleum engineering.

- 1960s
  - The Legislature added restrictions on use of engineering titles for the branch of metallurgical engineering.
  - The Legislature added restrictions on the practices of electrical and mechanical engineering (change in status from “title act” to “practice act”) and on use of engineering titles for the branch of industrial engineering.
  - The Legislature delegated authority to the Board to create new title acts.
  - The Legislature created the Board of Registration for Geologists under the Geologist Act to regulate the practice of geology.
- 1970s
  - The first Professional Geologist license and the first Certified Engineering Geologist title authority license were issued.
  - Professional Geophysicist licensure and regulation of the practice of geophysics were added by the Legislature.
  - The Board held hearings and created nine additional title act branches of engineering: agricultural, control systems, corrosion, fire protection, manufacturing, nuclear, quality, safety, and traffic.
- 1980s
  - The Geotechnical Engineer license was added by the Legislature.
  - The Board’s authority to create new title act branches of engineering was eliminated by the Legislature at the Board’s request.
  - The requirement for testing of all civil engineering applicants on engineering surveying principles and seismic principles was added by the Legislature.
- 1990s
  - The Legislature created the sunset review process for all licensing boards under the Department of Consumer Affairs.
  - The Board adopted regulations to create the title authority license of Certified Hydrogeologist for Professional Geologists.
- 2000s
  - Laws requiring licensees to execute written contracts for professional services were enacted.
  - Legislation was enacted that eliminated the Board for Geologists and Geophysicists and transferred all of the duties, powers, purposes, responsibilities, and jurisdiction to regulate the practices of geology and geophysics to the Board for Professional Engineers and Land Surveyors.
- 2010s
  - Effective January 1, 2011, the name of the Board was changed to the Board for Professional Engineers, Land Surveyors, and Geologists.

- The Board began administering its state-specific licensing examinations via computer-based testing (CBT).
- The Board implemented online licensure renewals via credit card payment.
- The Legislature authorized the Board to collect fingerprints from applicants for the purpose of a criminal history record check to further its mission of public protection.
- The Board conducted a review of its operational processes and procedures and, based on that review, reorganized into four functional units: Administrative Services, Enforcement, Examination Development, and Licensing.
- The Board transitioned all eight of its state-specific licensing examinations to computer-based testing (CBT) format, allowing for more testing opportunities.
- 2020s
  - Working with a vendor and the Department of Consumer Affairs' Office of Information Services, the Board developed and launched its BPELSG Connect system, a licensing and enforcement monitoring system that allows submission of applications, renewals, and complaints through an online portal.

## Significant Accomplishments

The Board has achieved the following accomplishments related to the objectives in its July 27, 2017, Updated Strategic Plan:

**Objective 1.1** Develop and implement an integrated licensing and enforcement case management system.

Status – The Board conducted a Business Process Improvement Study, then retained a vendor to implement a Business Modernization Project including a newly acquired integrated software system to manage workflows across all units of operation within the Board. The resulting online application/licensing portal, BPELSG Connect, includes license application, renewal, and enforcement case management modules. The first phase went live in late 2020, facilitating online applications and application status tracking for engineer-in-training and land surveyor-in-training, and online submittal of complaints to the Board’s Enforcement Unit. Subsequent phases included additional applications for other licenses and payment for license renewal, and payment for state-specific exams and notification of exam results. The Board’s speed and success in implementing its Business Modernization Project has received acclaim from DCA, and license applicants have provided overwhelmingly positive feedback about their experience submitting an application on the platform.

**Objective 2.1** Monitor and report annually whether national exams continue to meet California’s licensing requirements.

Status –The Board monitors national exam results and trends. Board members and staff are actively involved with NCEES and ASBOG examination development and oversight committees. The Board’s Executive Officer continues to encourage Board members and staff to maintain involvement with NCEES and ASBOG.

**Objective 3.2** Proactively monitor and clarify as needed laws and regulations.

Status – Board staff continuously monitors the laws and regulations under the Board’s jurisdiction to ensure they are clear, appropriate, and relevant and recommends additions, amendments, or repeals as needed.

**Objective 5.1** Communicate enforcement actions on an ongoing basis on the Board website as soon as feasible.

Status – Accusations against licensees are posted in the License Lookup section of the Board’s website once they are filed and served on the respondent (licensee). Final disciplinary decisions are posted on the website once they become final and effective.

**Objective 5.2** Maintain and expand as necessary the Board’s social media presence.

Status – As reported quarterly, the responses to the Board’s Facebook posts and Twitter tweets indicate the Board’s social media presence is reaching licensees.

**Objective 5.3** Report annually to the Board the steps taken to educate university administrators and students about the importance of licensure.

Status – Board staff provides quarterly reports on the Board’s extensive outreach program to college and university academic staff and students. This outreach emphasizes the importance of, and paths to, licensure. Outreach presentations are usually done in-person on campus but may also be done as virtual/remote presentations.

# Mission, Vision, and Values

## Our Mission

We protect the public's safety and property by promoting standards for competence and integrity through licensing and regulating the Board's professions.

## Our Vision

A safe and resilient California with confidence in the integrity and work of the Board's licensed professionals.

## Our Values

- Accountability
- Competence
- Consumer Protection
- Equity
- Fairness
- Integrity
- Professionalism

## Goal 1: Licensing

*The Board protects the public by licensing qualified individuals who provide professional services in California.*

Objectives:

- 1.1 Improve communication to licensees to ensure they are engaged and up to date on regulations and policies.
- 1.2 Continue rollout and enhancement of the Connect system to improve interactions with licensees.
- 1.3 Develop a strategy to implement a continuing education requirement to help licensees maintain and improve their professional knowledge and awareness of new, pertinent laws.
- 1.4 Implement a renewal assessment to promote better informed licensees regarding relevant laws and regulations.

## Goals 2: Applications and Examinations

*The Board processes applications and administers examinations in a timely and accessible manner to determine individuals' qualifications for licensure.*

Objectives:

- 2.1 Improve communication to applicants to educate them on application and examination requirements, the Connect system, and the licensing process.
- 2.2 Offer applicants current status updates in the Connect system as a way of checking the status of their application online and reducing the need for applicants to call the Board.
- 2.3 Continue rollout and enhancement of the Connect system to streamline applications and the exam scheduling process.
- 2.4 Update and maintain the list of frequently asked questions and appropriate answers to enable applicants to submit a complete application package and improve staff efficiency.
- 2.5 Educate prospective references that their opinion of an applicant's readiness for licensure is as important as passing an exam to provide additional verification of the applicant's qualifications.
- 2.6 Advocate for national exam and state exam standards to maintain their high quality and which reflect the knowledge and skills needed in the profession(s) to accurately measure applicants' qualifications to practice in California.
- 2.7 Keep licensure requirements and exams relevant and fair to competent applicants with varied education and experience to increase diversity in the professions, leading to an increase in the number of licensees.
- 2.8 Increase the visibility of application processing timeframes on the website to inform Board members, licensees, and consumers of the Board's performance.



## Goal 3: Laws and Regulations

*The Board strives to ensure that statutes, regulations, policies, and procedures strengthen and support its mandate and mission.*

Objectives:

- 3.1 Collaborate with the Department of Consumer Affairs and the California Business, Consumer Services and Housing Agency on the timeline for approval of regulations to facilitate timely implementation of changes.
- 3.2 Develop a mentorship or succession plan to provide staff with continuity of knowledge and skills related to the legislative and rulemaking processes.
- 3.3 Anticipate the need for new legislation, recruit potential sponsors for bills, and respond to bills that have an effect on the Board's ability to protect the public in an effort to ensure statutes are relevant and to support the Board's mission.
- 3.4 Develop and promote new regulations as necessary to implement statutory authority and to keep Board policies and procedures consistent and relevant across all the professions.
- 3.5 Improve communication to licensees to ensure that they are kept aware of changing laws and regulations.
- 3.6 Promote legislation to increase and collect penalties for unlicensed practice to provide effective deterrents.

## Goal 4: Enforcement

*The Board strives to protect the public by enforcing the laws and regulations governing the Board's professions.*

Objectives:

- 4.1 Continue development and refinement of the Connect system's enforcement module to increase the efficiency of complaint submittal, respondent contact, case-tracking, and reporting of case status.
- 4.2 Improve education to applicants and licensees of common violations that could lead to disciplinary action to reduce violations and increase understanding of requirements.
- 4.3 Work with law enforcement and other appropriate government agencies to enforce penalties to provide effective deterrents to unlicensed practice.
- 4.4 Continue to reduce investigation timelines to streamline enforcement against violators and be responsive to complainants.
- 4.5 Educate other governmental entities about unlicensed practice to minimize risk to the public and increase effectiveness of enforcement actions against unlicensed individuals.
- 4.6 Develop a plan for recruitment, training, and retention of expert consultants to improve the quality and consistency of case reviews.

## Goal 5: Outreach

*The Board promotes the importance of licensure to educate applicants, licensees, the public, and other stakeholders about the practice and regulation of the professions.*

### Objectives:

- 5.1 Solicit feedback from applicants, licensees, complainants, respondents, consumers, and staff to gauge the Board's success in meeting its goals and to receive suggestions for improvement.
- 5.2 Increase outreach to students through innovative tools and social media platforms to increase interest in the professions, recognition of the importance of licensure, understanding of requirements, and awareness of the Board's activities.
- 5.3 Explore and implement additional means of outreach on social media, including advertising, to increase interest in the professions, recognition of the importance of licensure, understanding of requirements, and awareness of the Board's activities.
- 5.4 Increase public awareness of the Board's functions and services so the public knows how to submit complaints and can use the Board as a resource.
- 5.5 Disseminate information on licensure and engage in outreach to underrepresented populations to increase diversity among the professions.
- 5.6 Collaborate with the Department of Consumer Affairs to provide information to the public such that complainants are aware of how to properly file a complaint, understand the complaint process, and obtain awareness of the result of their complaints.

## Goal 6: Customer Service and Administration

*The Board continuously works to improve efficiency and quality of its services.*

### Objectives:

- 6.1 Provide customer service training to staff on a periodic basis to reinforce the importance of serving the public.
- 6.2 Develop a mentorship or succession plan for all management positions to provide continuity of knowledge.
- 6.3 Assess and administer, where appropriate, technological developments that improve process efficiencies to better serve applicants, licensees, and the public.
- 6.4 Create an onboarding program for the Board members to educate them on the Board's regulated professions, policies, and procedures to increase the Board members' effectiveness and confidence.
- 6.5 Evaluate customer service complaints to find patterns related to the sources and types of complaints to implement changes where needed.

## Strategic Planning Process

To understand the environment in which the Board operates and to identify factors that could impact the Board's success, the California Department of Consumer Affairs' SOLID Planning Unit (SOLID) conducted an environmental scan of the internal and external environments by collecting information through the following methods:

- Interviews were conducted with twelve members of the Board, as well as the Executive Officer, and five members of Board management. These interviews were completed during the months of August and September 2021.
- An online survey was posted on the Board website and sent to a Listserv of external Board stakeholders in August 2021. Six hundred and twenty-three stakeholders completed the survey.

The most significant themes and trends identified from the environmental scan were discussed by the Board members and the Executive Officer during a strategic planning session facilitated by SOLID on January 10, 2022. This information guided the Board in the review of its mission, vision, and values while directing the development of the strategic goals and objectives outlined in this new strategic plan.

## **Board for Professional Engineers, Land Surveyors, and Geologists**

2535 Capitol Oaks Drive, Suite 300

Sacramento, CA 95833-2944

Phone: (916) 999-3600

[www.bpelsg.ca.gov](http://www.bpelsg.ca.gov)

Strategic plan adopted on March 7, 2022.

This strategic plan is based on stakeholder information and discussions facilitated by SOLID for the Board for Professional Engineers, Land Surveyors, and Geologists on January 10, 2022. Subsequent amendments may have been made after the adoption of this plan.



Prepared by:

**SOLID Planning Solutions**

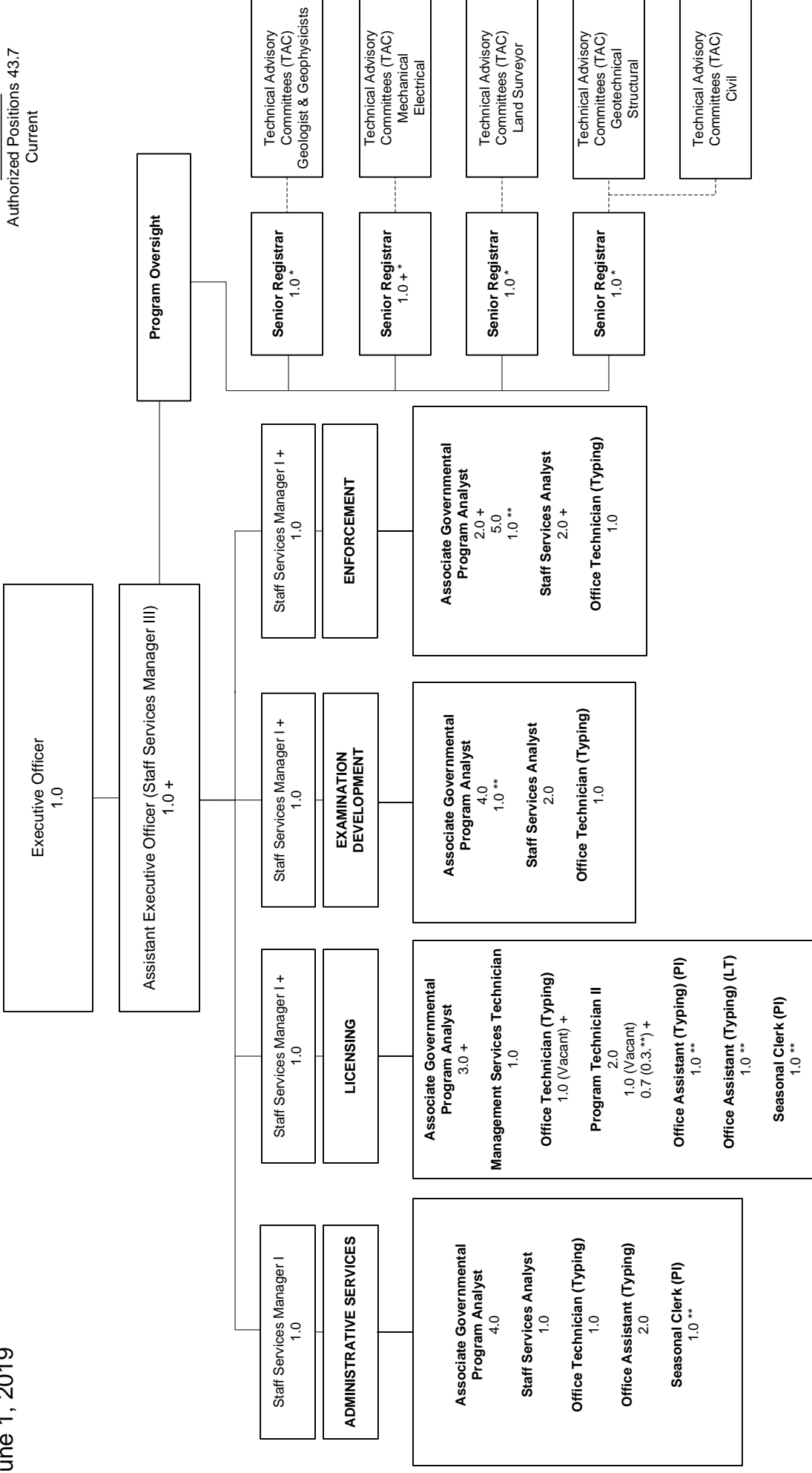
1747 N. Market Blvd., Ste. 270

Sacramento, CA 95834

# ATTACHMENT D







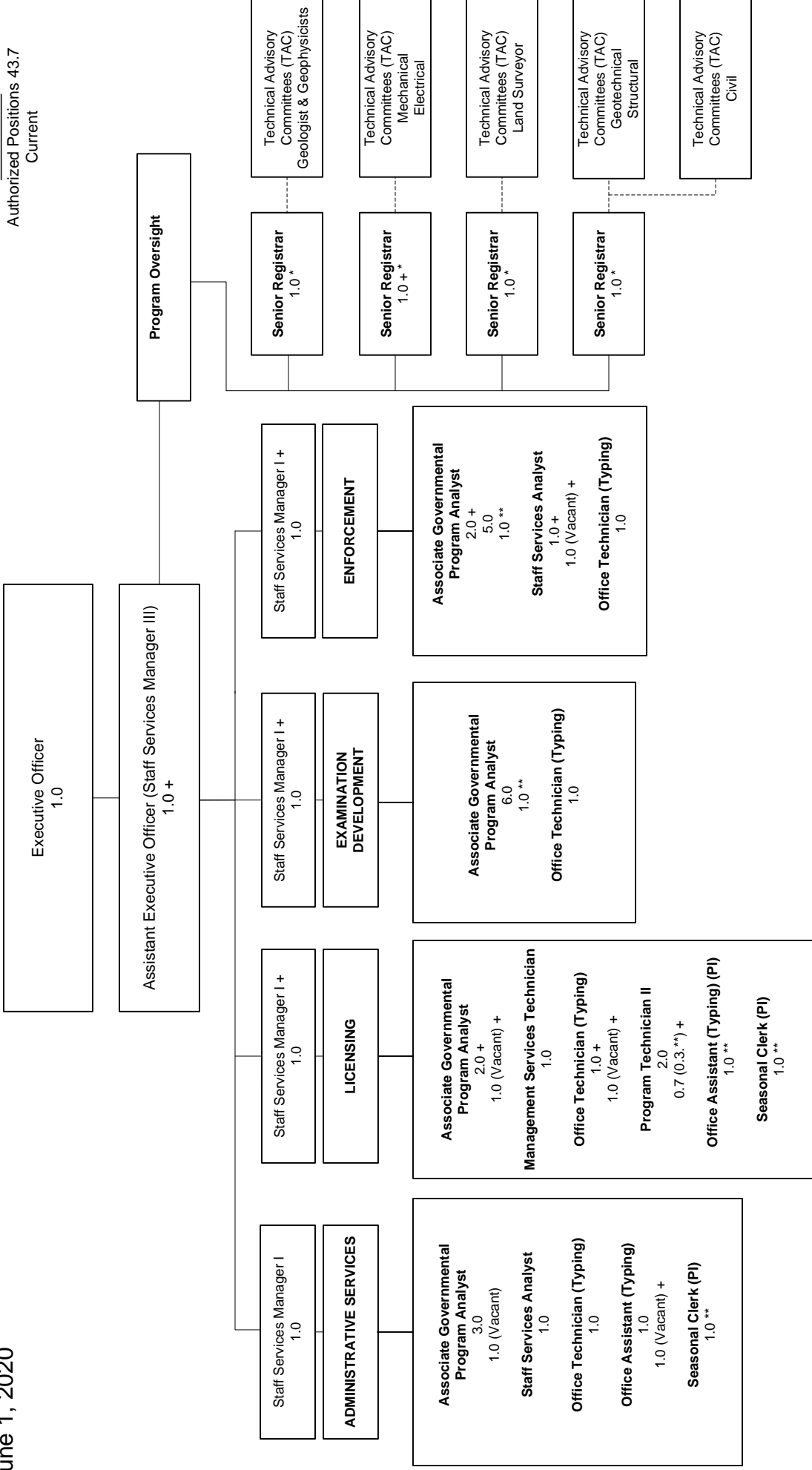
+ Designated CORI Positions  
\* Exceptional Allocations  
\*\* Budget approval for Blanket LT = Limited Term  
PI = Permanent Intermittent

Executive Officer

Date

Personnel Analyst

Date



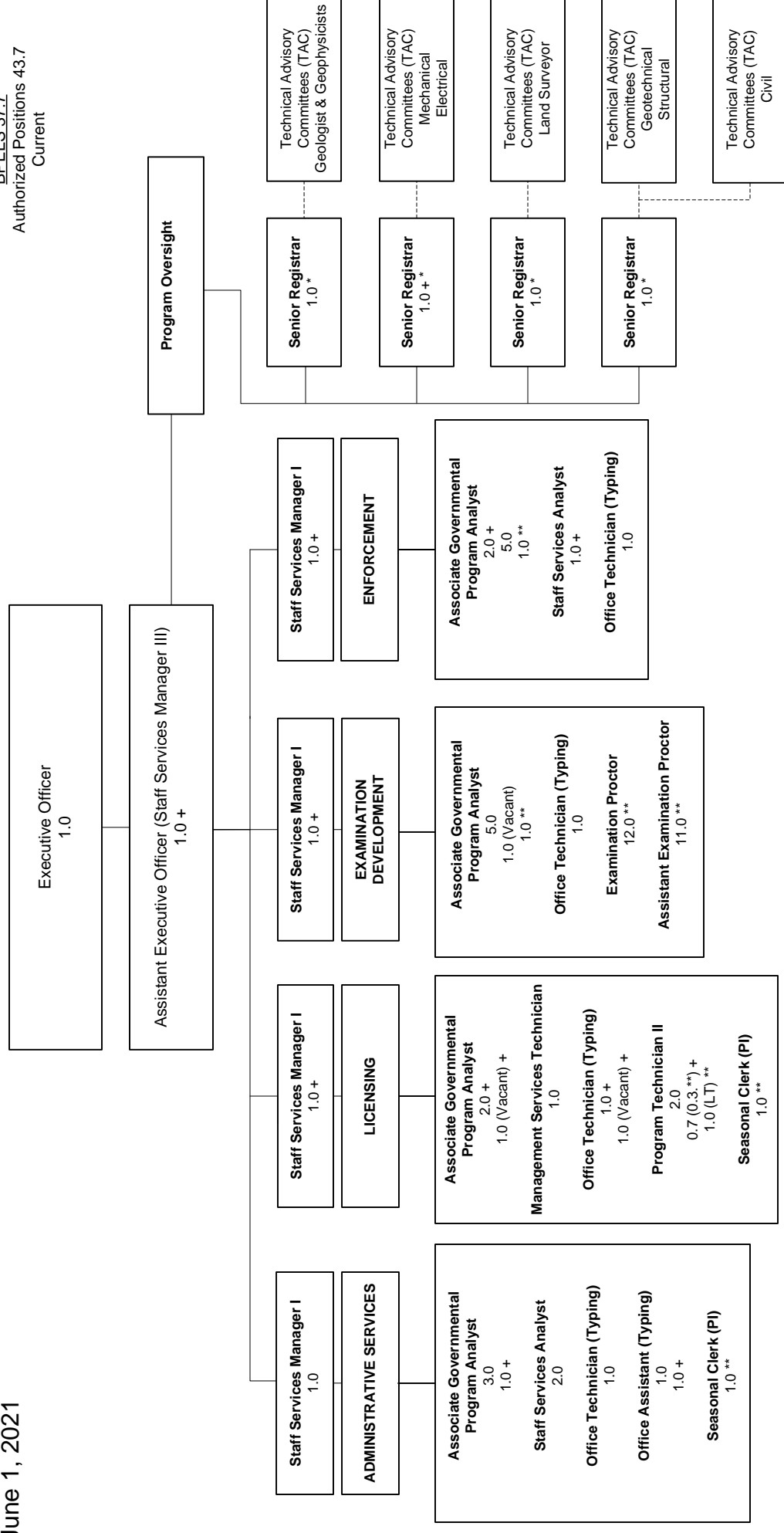
+ Designated CORI Positions  
\* Exceptional Allocations  
\*\* Budget approval for Blanket  
LT = Limited Term  
PI = Permanent Intermittent

Executive Officer

Date

Personnel Analyst

Date



+ Designated CORI Positions  
\* Exceptional Allocations  
\*\* Budget approval for Blanket  
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Executive Officer

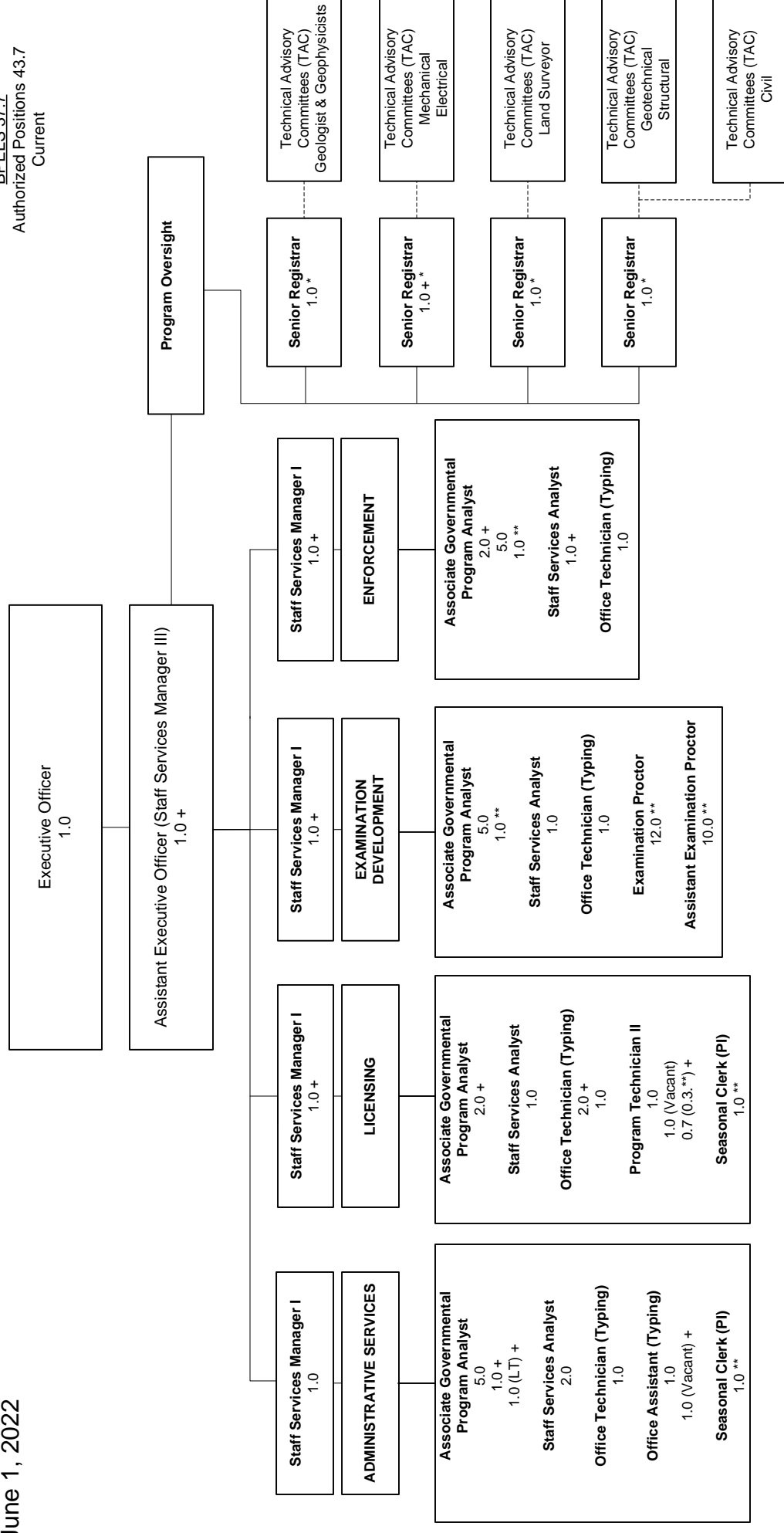
Date

Personnel Analyst

Date

Department of Consumer Affairs  
BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS  
June 1, 2022

FY 21-22  
GG 6  
BPELS 37.7  
Authorized Positions 43.7  
Current



+ Designated CORI Positions  
\* Exceptional Allocations  
\*\* Budget approval for Blanket  
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Executive Officer

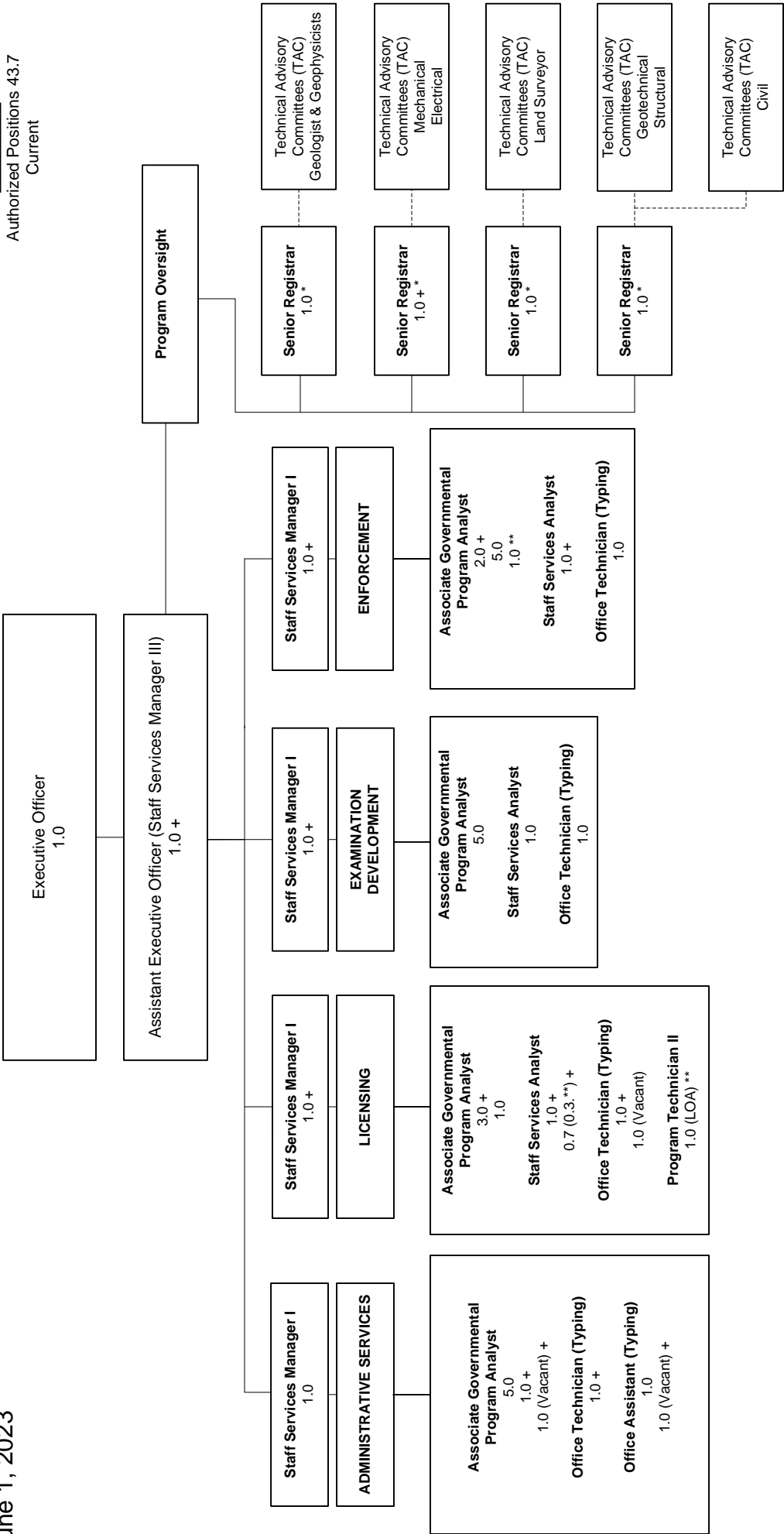
Date

Personnel Analyst

Date

Department of Consumer Affairs  
 BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS  
 June 1, 2023

FY 22-23  
 GG 6  
 BPELS 37.7  
 Authorized Positions 43.7  
 Current



+ Designated CORI Positions  
 \* Exceptional Allocations  
 \*\* Budget approval for Blanket  
 LT = Limited Term  
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Executive Officer \_\_\_\_\_ Date \_\_\_\_\_  
 Personnel Analyst \_\_\_\_\_ Date \_\_\_\_\_



# ATTACHMENT E





**Board for Professional Engineers, Land Surveyors, and Geologists**  
**Licensing Performance Measures Archive**  
**Initial Applications FY 2016/17 - FY 2020/21**

Fiscal Year	License Type	Target Cycle Time Complete Applications	Volume Complete Applications	Cycle Time Complete Applications	Volume Incomplete Applications	Cycle Time Incomplete Applications
6/30/2017	Agricultural Engineer	60	4	87	0	0
6/30/2018	Agricultural Engineer	60	0	0	2	52
6/30/2019	Agricultural Engineer	60	1	191	1	54
6/30/2020	Agricultural Engineer	60	1	122	0	0
6/30/2017	Certified Engineering Geologist	60	8	71	0	0
6/30/2019	Certified Engineering Geologist	60	2	52	10	61
6/30/2021	Certified Engineering Geologist	60	9	426	0	0
6/30/2018	Certified Hydrogeologist	60	15	42	1	54
6/30/2020	Certified Hydrogeologist	60	0	0	0	0
6/30/2017	Chemical Engineer	60	34	106	5	95
6/30/2019	Chemical Engineer	60	42	66	7	74
6/30/2021	Chemical Engineer	60	42	172	0	0
6/30/2018	Civil Engineer	60	979	60	37	175
6/30/2020	Civil Engineer	60	1,419	88	204	170
6/30/2017	Control Systems	60	7	66	0	0
6/30/2019	Control Systems	60	17	46	7	108
6/30/2021	Control Systems	60	24	108	0	0
6/30/2018	Electrical Engineer	60	298	59	23	201
6/30/2020	Electrical Engineer	60	395	62	30	152
6/30/2020	Engineer-in- Training	60	0	0	0	0
6/30/2017	Fire Protection	60	2	80	3	45
6/30/2019	Fire Protection	60	31	48	6	62
6/30/2021	Fire Protection	60	57	105	0	0

**Board for Professional Engineers, Land Surveyors, and Geologists**  
**Licensing Performance Measures Archive**  
**Initial Applications FY 2016/17 - FY 2020/21**

Fiscal Year	License Type	Target Cycle Time Complete Applications	Volume Complete Applications	Cycle Time Complete Applications	Volume Incomplete Applications	Cycle Time Incomplete Applications
6/30/2018	Geologist, Professional	60	26	78	13	104
6/30/2019	Geologist, Professional	60	98	56	24	123
6/30/2020	Geologist, Professional	60	0	0	0	0
6/30/2021	Geologist, Professional	60	132	91	0	0
6/30/2020	Geologist-in-Training	60	0	0	0	0
6/30/2021	Geologist-in-Training	60	172	69	0	0
6/30/2017	Geophysicist, Professional	60	0	0	0	0
6/30/2018	Geophysicist, Professional	60	1	236	0	0
6/30/2019	Geophysicist, Professional	60	0	0	2	57
6/30/2020	Geophysicist, Professional	60	0	0	0	0
6/30/2021	Geophysicist, Professional	60	6	203	0	0
6/30/2017	Geotechnical Engineer	60	14	38	0	0
6/30/2018	Geotechnical Engineer	60	107	47	1	338
6/30/2019	Geotechnical Engineer	60	14	102	12	68
6/30/2020	Geotechnical Engineer	60	43	115	2	131
6/30/2021	Geotechnical Engineer	60	29	103	0	0
6/30/2017	Industrial Engineer	60	6	109	1	59
6/30/2018	Industrial Engineer	60	3	32	1	92
6/30/2019	Industrial Engineer	60	1	47	3	102
6/30/2020	Industrial Engineer	60	3	57	1	178
6/30/2021	Industrial Engineer	60	5	114	0	0
6/30/2017	Land Surveyor, Professional	60	49	62	10	43
6/30/2018	Land Surveyor, Professional	60	27	71	3	119
6/30/2019	Land Surveyor, Professional	60	37	55	17	105
6/30/2020	Land Surveyor, Professional	60	55	76	7	150
6/30/2021	Land Surveyor, Professional	60	58	251	0	0
6/30/2020	Land Surveyor-in- Training	60	0	0	0	0
6/30/2021	Land Surveyor-in- Training	60	117	22	0	0
6/30/2017	Mechanical Engineer	60	250	92	52	62
6/30/2018	Mechanical Engineer	60	306	50	13	212
6/30/2019	Mechanical Engineer	60	419	51	42	82
6/30/2020	Mechanical Engineer	60	421	52	24	171
6/30/2021	Mechanical Engineer	60	418	124	0	0
6/30/2017	Metallurgical Engineer	60	0	0	0	0
6/30/2018	Metallurgical Engineer	60	3	25	0	0
6/30/2019	Metallurgical Engineer	60	6	56	0	0
6/30/2020	Metallurgical Engineer	60	4	39	4	147
6/30/2021	Metallurgical Engineer	60	8	58	0	0
6/30/2017	Nuclear Engineer	60	0	0	0	0
6/30/2018	Nuclear Engineer	60	1	41	0	0
6/30/2019	Nuclear Engineer	60	0	0	1	311
6/30/2020	Nuclear Engineer	60	0	0	0	0
6/30/2021	Nuclear Engineer	60	1	28	0	0

**Board for Professional Engineers, Land Surveyors, and Geologists**  
**Licensing Performance Measures Archive**  
**Initial Applications FY 2016/17 - FY 2020/21**

Fiscal Year	License Type	Target Cycle Time Complete Applications	Volume Complete Applications	Cycle Time Complete Applications	Volume Incomplete Applications	Cycle Time Incomplete Applications
6/30/2017	Petroleum Engineer	60	1	122	0	0
6/30/2018	Petroleum Engineer	60	5	35	0	0
6/30/2019	Petroleum Engineer	60	4	119	1	23
6/30/2020	Petroleum Engineer	60	9	60	1	64
6/30/2021	Petroleum Engineer	60	10	70	0	0
6/30/2017	Structural Engineer	60	58	55	17	85
6/30/2018	Structural Engineer	60	159	52	8	196
6/30/2019	Structural Engineer	60	90	74	59	73
6/30/2020	Structural Engineer	60	131	108	23	157
6/30/2021	Structural Engineer	60	149	170	0	0
6/30/2017	Traffic Engineer	60	2	55	2	91
6/30/2018	Traffic Engineer	60	12	39	3	138
6/30/2019	Traffic Engineer	60	30	75	17	116
6/30/2020	Traffic Engineer	60	44	103	12	223
6/30/2021	Traffic Engineer	60	29	113	0	0

Board for Professional Engineers, Land Surveyors, and Geologists

Quarterly Licensing Performance Measures

FY 2021/22 Q1 - Q2

Fiscal Year	Month	Date	License Type	Application Type	Target Cycle				Volume Incomplete Applications	Cycle Time Incomplete Applications	Volume Renewal Applications	Cycle Time Renewal Applications	Comment
					Time Complete Applications	Volume Complete Applications	Cycle Time Complete Applications						
6/30/2022	July	7/31/2021	Agricultural Engineer	Initial License Application	60	0	0	0	0	0	0	0	
6/30/2022	August	8/31/2021	Agricultural Engineer	Initial License Application	60	1	74		0	0	0	0	
6/30/2022	September	9/30/2021	Agricultural Engineer	Initial License Application	60	0	0	0	0	0	0	0	
6/30/2022	October	10/31/2021	Agricultural Engineer	Initial License Application	60	0	0	0	0	0	0	0	
6/30/2022	November	11/30/2021	Agricultural Engineer	Initial License Application	60	0	0	0	0	0	0	0	
6/30/2022	December	12/31/2021	Agricultural Engineer	Initial License Application	60	0	0	0	0	0	0	0	
6/30/2022	July	7/31/2021	Agricultural Engineer	Renewal Application	0	0	0	0	0	0	0	0	
6/30/2022	August	8/31/2021	Agricultural Engineer	Renewal Application	0	0	0	0	0	0	0	0	
6/30/2022	September	9/30/2021	Agricultural Engineer	Renewal Application	0	0	0	0	0	0	8	3	
6/30/2022	October	10/31/2021	Agricultural Engineer	Renewal Application	0	0	0	0	0	0	1	7	
6/30/2022	December	12/31/2021	Agricultural Engineer	Renewal Application	0	0	0	0	0	0	6	4	
6/30/2022	August	8/31/2021	Certified Engineering Geologist	Initial License Application	60	1	66		0	0	0	0	Note 1
6/30/2022	October	10/31/2021	Certified Engineering Geologist	Initial License Application	60	0	0	0	0	0	0	0	Note 1
6/30/2022	December	12/31/2021	Certified Engineering Geologist	Initial License Application	60	0	0	0	0	0	0	0	Note 1
6/30/2022	August	8/31/2021	Certified Engineering Geologist	Renewal Application	0	0	0	0	0	0	58	16	
6/30/2022	October	10/31/2021	Certified Engineering Geologist	Renewal Application	0	0	0	0	0	0	65	4	
6/30/2022	December	12/31/2021	Certified Engineering Geologist	Renewal Application	0	0	0	0	0	0	68	3	
6/30/2022	August	8/31/2021	Certified Hydrogeologist	Initial License Application	60	0	0	0	0	0	0	0	Note 1
6/30/2022	October	10/31/2021	Certified Hydrogeologist	Initial License Application	60	0	0	0	0	0	0	0	Note 1
6/30/2022	December	12/31/2021	Certified Hydrogeologist	Initial License Application	60	0	0	0	0	0	0	0	Note 1
6/30/2022	August	8/31/2021	Certified Hydrogeologist	Renewal Application	0	0	0	0	0	0	34	3	
6/30/2022	October	10/31/2021	Certified Hydrogeologist	Renewal Application	0	0	0	0	0	0	47	4	
6/30/2022	December	12/31/2021	Certified Hydrogeologist	Renewal Application	0	0	0	0	0	0	43	3	
6/30/2022	August	8/31/2021	Chemical Engineer	Initial License Application	60	8	62		0	0	0	0	
6/30/2022	October	10/31/2021	Chemical Engineer	Initial License Application	60	0	0	0	1	93	0	0	
6/30/2022	December	12/31/2021	Chemical Engineer	Initial License Application	60	2	133		2	72	0	0	
6/30/2022	August	8/31/2021	Chemical Engineer	Renewal Application	0	0	0	0	0	0	126	2	
6/30/2022	October	10/31/2021	Chemical Engineer	Renewal Application	0	0	0	0	0	0	28	2	

Note 1: The Board’s tracking system does not allow separation of “complete” vs. “incomplete” approved applications. All approved applications are included in the “complete” category

Board for Professional Engineers, Land Surveyors, and Geologists

Quarterly Licensing Performance Measures

FY 2021/22 Q1 - Q2

Fiscal Year	Month	Date	License Type	Application Type	Target Cycle				Volume Incomplete Applications	Cycle Time Incomplete Applications	Volume Renewal Applications	Cycle Time Renewal Applications	Comment
					Time Complete Applications	Volume Complete Applications	Cycle Time Complete Applications	Volume Complete Applications					
6/30/2022	November	11/30/2021	Chemical Engineer	Renewal Application	0	0	0	0	0	0	93	2	
6/30/2022	December	12/31/2021	Chemical Engineer	Renewal Application	0	0	0	0	0	0	75	3	
6/30/2022	July	7/31/2021	Civil Engineer	Initial License Application	60	27	177	0	0	0	0	0	
6/30/2022	August	8/31/2021	Civil Engineer	Initial License Application	60	104	289	0	0	0	0	0	
6/30/2022	September	9/30/2021	Civil Engineer	Initial License Application	60	224	118	0	0	0	0	0	
6/30/2022	October	10/31/2021	Civil Engineer	Initial License Application	60	28	106	0	0	0	0	0	
6/30/2022	November	11/30/2021	Civil Engineer	Initial License Application	60	107	18	0	0	0	0	0	
6/30/2022	December	12/31/2021	Civil Engineer	Initial License Application	60	193	132	0	0	0	0	0	
6/30/2022	July	7/31/2021	Civil Engineer	Renewal Application	0	0	0	0	0	0	796	4	
6/30/2022	August	8/31/2021	Civil Engineer	Renewal Application	0	0	0	0	0	0	4928	2	
6/30/2022	September	9/30/2021	Civil Engineer	Renewal Application	0	0	0	0	0	0	2484	3	
6/30/2022	October	10/31/2021	Civil Engineer	Renewal Application	0	0	0	0	0	0	613	2	
6/30/2022	November	11/30/2021	Civil Engineer	Renewal Application	0	0	0	0	0	0	3473	2	
6/30/2022	December	12/31/2021	Civil Engineer	Renewal Application	0	0	0	0	0	0	2935	3	
6/30/2022	July	7/31/2021	Control System Engineer	Initial License Application	60	4	114	0	0	0	0	0	
6/30/2022	August	8/31/2021	Control System Engineer	Initial License Application	60	6	79	0	0	0	0	0	
6/30/2022	September	9/30/2021	Control System Engineer	Initial License Application	60	2	71	0	0	0	0	0	
6/30/2022	October	10/31/2021	Control System Engineer	Initial License Application	60	0	0	3	81	0	0	0	
6/30/2022	November	11/30/2021	Control System Engineer	Initial License Application	60	1	89	1	94	0	0	0	
6/30/2022	December	12/31/2021	Control System Engineer	Initial License Application	60	0	0	1	92	0	0	0	
6/30/2022	July	7/31/2021	Control System Engineer	Renewal Application	0	0	0	0	0	0	12	2	
6/30/2022	August	8/31/2021	Control System Engineer	Renewal Application	0	0	0	0	0	0	30	3	
6/30/2022	September	9/30/2021	Control System Engineer	Renewal Application	0	0	0	0	0	0	15	3	
6/30/2022	October	10/31/2021	Control System Engineer	Renewal Application	0	0	0	0	0	0	4	1	
6/30/2022	November	11/30/2021	Control System Engineer	Renewal Application	0	0	0	0	0	0	33	2	
6/30/2022	December	12/31/2021	Control System Engineer	Renewal Application	0	0	0	0	0	0	21	2	
6/30/2022	July	7/31/2021	Corrosion Engineer	Renewal Application	0	0	0	0	0	0	1	1	
6/30/2022	August	8/31/2021	Corrosion Engineer	Renewal Application	0	0	0	0	0	0	15	4	
6/30/2022	September	9/30/2021	Corrosion Engineer	Renewal Application	0	0	0	0	0	0	6	2	
6/30/2022	October	10/31/2021	Corrosion Engineer	Renewal Application	0	0	0	0	0	0	4	4	
6/30/2022	November	11/30/2021	Corrosion Engineer	Renewal Application	0	0	0	0	0	0	8	3	
6/30/2022	December	12/31/2021	Corrosion Engineer	Renewal Application	0	0	0	0	0	0	5	4	
6/30/2022	July	7/31/2021	Electrical Engineer	Initial License Application	60	60	158	0	0	0	0	0	
6/30/2022	August	8/31/2021	Electrical Engineer	Initial License Application	60	65	90	0	0	0	0	0	
6/30/2022	September	9/30/2021	Electrical Engineer	Initial License Application	60	44	74	0	0	0	0	0	
6/30/2022	October	10/31/2021	Electrical Engineer	Initial License Application	60	6	118	38	73	0	0	0	
6/30/2022	November	11/30/2021	Electrical Engineer	Initial License Application	60	3	176	14	89	0	0	0	
6/30/2022	December	12/31/2021	Electrical Engineer	Initial License Application	60	3	82	25	101	0	0	0	
6/30/2022	July	7/31/2021	Electrical Engineer	Renewal Application	0	0	0	0	0	0	180	3	
6/30/2022	August	8/31/2021	Electrical Engineer	Renewal Application	0	0	0	0	0	0	904	2	
6/30/2022	September	9/30/2021	Electrical Engineer	Renewal Application	0	0	0	0	0	0	474	3	
6/30/2022	October	10/31/2021	Electrical Engineer	Renewal Application	0	0	0	0	0	0	138	2	
6/30/2022	November	11/30/2021	Electrical Engineer	Renewal Application	0	0	0	0	0	0	513	2	
6/30/2022	December	12/31/2021	Electrical Engineer	Renewal Application	0	0	0	0	0	0	444	2	
6/30/2022	October	10/31/2021	Engineer-in- Training	Initial License Application	60	144	4	88	32	0	0	0	
6/30/2022	November	11/30/2021	Engineer-in- Training	Initial License Application	60	103	6	73	20	0	0	0	

Note 1: The Board’s tracking system does not allow separation of “complete” vs. “incomplete” approved applications. All approved applications are included in the “complete” category

Board for Professional Engineers, Land Surveyors, and Geologists

Quarterly Licensing Performance Measures

FY 2021/22 Q1 - Q2

Fiscal Year	Month	Date	License Type	Application Type	Target Cycle				Volume Incomplete Applications	Cycle Time Incomplete Applications	Volume Renewal Applications	Cycle Time Renewal Applications	Comment
					Time Complete Applications	Volume Complete Applications	Cycle Time Complete Applications						
6/30/2022	December	12/31/2021	Engineer-in- Training	Initial License Application	60	66	7	51	39	0	0	0	
6/30/2022	July	7/31/2021	Engineer-in-Training	Initial License Application	60	329	11	0	0	0	0	0	
6/30/2022	August	8/31/2021	Engineer-in-Training	Initial License Application	60	289	14	0	0	0	0	0	
6/30/2022	September	9/30/2021	Engineer-in-Training	Initial License Application	60	259	11	0	0	0	0	0	
6/30/2022	July	7/31/2021	Fire Protection Engineer	Initial License Application	60	4	133	0	0	0	0	0	
6/30/2022	August	8/31/2021	Fire Protection Engineer	Initial License Application	60	4	204	0	0	0	0	0	
6/30/2022	September	9/30/2021	Fire Protection Engineer	Initial License Application	60	4	64	0	0	0	0	0	
6/30/2022	October	10/31/2021	Fire Protection Engineer	Initial License Application	60	0	0	2	68	0	0	0	
6/30/2022	November	11/30/2021	Fire Protection Engineer	Initial License Application	60	0	0	1	70	0	0	0	
6/30/2022	December	12/31/2021	Fire Protection Engineer	Initial License Application	60	0	0	3	87	0	0	0	
6/30/2022	July	7/31/2021	Fire Protection Engineer	Renewal Application	0	0	0	0	0	0	17	1	
6/30/2022	August	8/31/2021	Fire Protection Engineer	Renewal Application	0	0	0	0	0	0	49	2	
6/30/2022	September	9/30/2021	Fire Protection Engineer	Renewal Application	0	0	0	0	0	0	36	2	
6/30/2022	October	10/31/2021	Fire Protection Engineer	Renewal Application	0	0	0	0	0	0	7	4	
6/30/2022	November	11/30/2021	Fire Protection Engineer	Renewal Application	0	0	0	0	0	0	28	2	
6/30/2022	December	12/31/2021	Fire Protection Engineer	Renewal Application	0	0	0	0	0	0	30	2	
6/30/2022	July	7/31/2021	Geologist-in-Training	Initial License Application	60	13	134	0	0	0	0	0	Note 1
6/30/2022	August	8/31/2021	Geologist-in-Training	Initial License Application	60	4	99	0	0	0	0	0	Note 1
6/30/2022	September	9/30/2021	Geologist-in-Training	Initial License Application	60	1	106	0	0	0	0	0	Note 1
6/30/2022	October	10/31/2021	Geologist-in-Training	Initial License Application	60	5	26	0	0	0	0	0	Note 1
6/30/2022	November	11/30/2021	Geologist-in-Training	Initial License Application	60	47	55	0	0	0	0	0	Note 1
6/30/2022	December	12/31/2021	Geologist-in-Training	Initial License Application	60	23	46	0	0	0	0	0	Note 1
6/30/2022	July	7/31/2021	Geotechnical Engineer	Initial License Application	60	1	326	0	0	0	0	0	Note 1
6/30/2022	August	8/31/2021	Geotechnical Engineer	Initial License Application	60	9	89	0	0	0	0	0	Note 1
6/30/2022	September	9/30/2021	Geotechnical Engineer	Initial License Application	60	14	102	0	0	0	0	0	Note 1
6/30/2022	October	10/31/2021	Geotechnical Engineer	Initial License Application	60	0	0	0	0	0	0	0	Note 1
6/30/2022	November	11/30/2021	Geotechnical Engineer	Initial License Application	60	2	293	0	0	0	0	0	Note 1
6/30/2022	December	12/31/2021	Geotechnical Engineer	Initial License Application	60	0	0	0	0	0	0	0	Note 1
6/30/2022	July	7/31/2021	Geotechnical Engineer	Renewal Application	0	0	0	0	0	0	18	4	
6/30/2022	August	8/31/2021	Geotechnical Engineer	Renewal Application	0	0	0	0	0	0	99	4	
6/30/2022	September	9/30/2021	Geotechnical Engineer	Renewal Application	0	0	0	0	0	0	52	4	
6/30/2022	October	10/31/2021	Geotechnical Engineer	Renewal Application	0	0	0	0	0	0	14	2	
6/30/2022	November	11/30/2021	Geotechnical Engineer	Renewal Application	0	0	0	0	0	0	94	3	
6/30/2022	December	12/31/2021	Geotechnical Engineer	Renewal Application	0	0	0	0	0	0	79	12	
6/30/2022	July	7/31/2021	Industrial Engineer	Initial License Application	60	2	191	0	0	0	0	0	
6/30/2022	August	8/31/2021	Industrial Engineer	Initial License Application	60	1	115	0	0	0	0	0	
6/30/2022	September	9/30/2021	Industrial Engineer	Initial License Application	60	1	72	0	0	0	0	0	
6/30/2022	October	10/31/2021	Industrial Engineer	Initial License Application	60	1	162	0	0	0	0	0	
6/30/2022	November	11/30/2021	Industrial Engineer	Initial License Application	60	1	202	0	0	0	0	0	
6/30/2022	December	12/31/2021	Industrial Engineer	Initial License Application	60	0	0	0	0	0	0	0	
6/30/2022	July	7/31/2021	Industrial Engineer	Renewal Application	0	0	0	0	0	0	8	2	
6/30/2022	August	8/31/2021	Industrial Engineer	Renewal Application	0	0	0	0	0	0	23	3	
6/30/2022	September	9/30/2021	Industrial Engineer	Renewal Application	0	0	0	0	0	0	14	6	
6/30/2022	October	10/31/2021	Industrial Engineer	Renewal Application	0	0	0	0	0	0	4	2	
6/30/2022	November	11/30/2021	Industrial Engineer	Renewal Application	0	0	0	0	0	0	9	3	
6/30/2022	December	12/31/2021	Industrial Engineer	Renewal Application	0	0	0	0	0	0	5	3	

Note 1: The Board’s tracking system does not allow separation of “complete” vs. “incomplete” approved applications. All approved applications are included in the “complete” category

Board for Professional Engineers, Land Surveyors, and Geologists  
Quarterly Licensing Performance Measures

FY 2021/22 Q1 - Q2

Fiscal Year	Month	Date	License Type	Application Type	Target Cycle Time				Volume Incomplete Applications	Cycle Time Incomplete Applications	Volume Renewal Applications	Cycle Time Renewal Applications	Comment
					Complete Applications	Complete Applications	Complete Applications	Complete Applications					
6/30/2022	October	10/31/2021	Land Surveyor-in- Training	Initial License Application	60	4	6	6	8	44	0	0	
6/30/2022	November	11/30/2021	Land Surveyor-in- Training	Initial License Application	60	5	6	6	3	25	0	0	
6/30/2022	December	12/31/2021	Land Surveyor-in- Training	Initial License Application	60	4	4	4	3	33	0	0	
6/30/2022	July	7/31/2021	Land Surveyor-in-Training	Initial License Application	60	10	10	10	0	0	0	0	
6/30/2022	August	8/31/2021	Land Surveyor-in-Training	Initial License Application	60	4	27	0	0	0	0	0	
6/30/2022	September	9/30/2021	Land Surveyor-in-Training	Initial License Application	60	8	52	0	0	0	0	0	
6/30/2022	July	7/31/2021	Manufacturing Engineer	Renewal Application	0	0	0	0	0	0	4	34	
6/30/2022	August	8/31/2021	Manufacturing Engineer	Renewal Application	0	0	0	0	0	0	14	3	
6/30/2022	September	9/30/2021	Manufacturing Engineer	Renewal Application	0	0	0	0	0	0	5	4	
6/30/2022	October	10/31/2021	Manufacturing Engineer	Renewal Application	0	0	0	0	0	0	2	8	
6/30/2022	November	11/30/2021	Manufacturing Engineer	Renewal Application	0	0	0	0	0	0	3	4	
6/30/2022	December	12/31/2021	Manufacturing Engineer	Renewal Application	0	0	0	0	0	0	6	8	
6/30/2022	July	7/31/2021	Mechanical Engineer	Initial License Application	60	47	92	0	0	0	0	0	
6/30/2022	August	8/31/2021	Mechanical Engineer	Initial License Application	60	75	75	0	0	0	0	0	
6/30/2022	September	9/30/2021	Mechanical Engineer	Initial License Application	60	43	114	0	0	0	0	0	
6/30/2022	October	10/31/2021	Mechanical Engineer	Initial License Application	60	7	124	35	18	85	0	0	
6/30/2022	November	11/30/2021	Mechanical Engineer	Initial License Application	60	6	197	0	0	75	0	0	
6/30/2022	December	12/31/2021	Mechanical Engineer	Initial License Application	60	2	96	26	104	0	0	0	
6/30/2022	July	7/31/2021	Mechanical Engineer	Renewal Application	0	0	0	0	0	0	314	4	
6/30/2022	August	8/31/2021	Mechanical Engineer	Renewal Application	0	0	0	0	0	0	1289	2	
6/30/2022	September	9/30/2021	Mechanical Engineer	Renewal Application	0	0	0	0	0	0	663	3	
6/30/2022	October	10/31/2021	Mechanical Engineer	Renewal Application	0	0	0	0	0	0	250	3	
6/30/2022	November	11/30/2021	Mechanical Engineer	Renewal Application	0	0	0	0	0	0	812	2	
6/30/2022	December	12/31/2021	Mechanical Engineer	Renewal Application	0	0	0	0	0	0	718	3	
6/30/2022	July	7/31/2021	Metallurgical Engineer	Initial License Application	60	4	129	0	0	0	0	0	
6/30/2022	August	8/31/2021	Metallurgical Engineer	Initial License Application	60	2	82	0	0	0	0	0	
6/30/2022	September	9/30/2021	Metallurgical Engineer	Initial License Application	60	0	0	0	0	0	0	0	
6/30/2022	October	10/31/2021	Metallurgical Engineer	Initial License Application	60	0	0	0	1	66	0	0	
6/30/2022	November	11/30/2021	Metallurgical Engineer	Initial License Application	60	0	0	0	0	0	0	0	
6/30/2022	December	12/31/2021	Metallurgical Engineer	Initial License Application	60	0	0	0	0	0	0	0	
6/30/2022	July	7/31/2021	Metallurgical Engineer	Renewal Application	0	0	0	0	0	0	1	10	
6/30/2022	August	8/31/2021	Metallurgical Engineer	Renewal Application	0	0	0	0	0	0	11	2	
6/30/2022	September	9/30/2021	Metallurgical Engineer	Renewal Application	0	0	0	0	0	0	9	3	
6/30/2022	October	10/31/2021	Metallurgical Engineer	Renewal Application	0	0	0	0	0	0	3	4	
6/30/2022	November	11/30/2021	Metallurgical Engineer	Renewal Application	0	0	0	0	0	0	11	2	
6/30/2022	December	12/31/2021	Metallurgical Engineer	Renewal Application	0	0	0	0	0	0	4	2	
6/30/2022	July	7/31/2021	Nuclear Engineer	Initial License Application	60	0	0	0	0	0	0	0	
6/30/2022	August	8/31/2021	Nuclear Engineer	Initial License Application	60	0	0	0	0	0	0	0	
6/30/2022	September	9/30/2021	Nuclear Engineer	Initial License Application	60	0	0	0	0	0	0	0	
6/30/2022	October	10/31/2021	Nuclear Engineer	Initial License Application	60	0	0	0	0	0	0	0	
6/30/2022	November	11/30/2021	Nuclear Engineer	Initial License Application	60	0	0	0	0	0	0	0	
6/30/2022	December	12/31/2021	Nuclear Engineer	Initial License Application	60	0	0	0	0	0	0	0	
6/30/2022	July	7/31/2021	Nuclear Engineer	Renewal Application	0	0	0	0	0	0	3	8	
6/30/2022	August	8/31/2021	Nuclear Engineer	Renewal Application	0	0	0	0	0	0	26	3	
6/30/2022	September	9/30/2021	Nuclear Engineer	Renewal Application	0	0	0	0	0	0	7	2	
6/30/2022	October	10/31/2021	Nuclear Engineer	Renewal Application	0	0	0	0	0	0	2	3	

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Board for Professional Engineers, Land Surveyors, and Geologists  
Quarterly Licensing Performance Measures

FY 2021/22 Q1 - Q2

Fiscal Year	Month	Date	License Type	Application Type	Target Cycle Time				Volume Incomplete Applications	Cycle Time Incomplete Applications	Volume Renewal Applications	Cycle Time Renewal Applications	Comment
					Complete Applications	Volume Complete Applications	Cycle Time Complete Applications						
6/30/2022	November	11/30/2021	Nuclear Engineer	Renewal Application	0	0	0	0	0	0	16	4	
6/30/2022	December	12/31/2021	Nuclear Engineer	Renewal Application	0	0	0	0	0	0	14	4	
6/30/2022	July	7/31/2021	Petroleum Engineer	Initial License Application	60	2	49	0	0	0	0	0	
6/30/2022	August	8/31/2021	Petroleum Engineer	Initial License Application	60	1	76	0	0	0	0	0	
6/30/2022	September	9/30/2021	Petroleum Engineer	Initial License Application	60	0	0	0	0	0	0	0	
6/30/2022	October	10/31/2021	Petroleum Engineer	Initial License Application	60	1	63	0	0	0	0	0	
6/30/2022	November	11/30/2021	Petroleum Engineer	Initial License Application	60	0	0	0	0	0	0	0	
6/30/2022	December	12/31/2021	Petroleum Engineer	Initial License Application	60	0	0	0	0	0	0	0	
6/30/2022	July	7/31/2021	Petroleum Engineer	Renewal Application	0	0	0	0	0	0	8	3	
6/30/2022	August	8/31/2021	Petroleum Engineer	Renewal Application	0	0	0	0	0	0	26	2	
6/30/2022	September	9/30/2021	Petroleum Engineer	Renewal Application	0	0	0	0	0	0	14	2	
6/30/2022	October	10/31/2021	Petroleum Engineer	Renewal Application	0	0	0	0	0	0	7	1	
6/30/2022	November	11/30/2021	Petroleum Engineer	Renewal Application	0	0	0	0	0	0	11	3	
6/30/2022	December	12/31/2021	Petroleum Engineer	Renewal Application	0	0	0	0	0	0	9	3	
6/30/2022	July	7/31/2021	Professional Geologist	Initial License Application	60	38	120	0	0	0	0	0	Note 1
6/30/2022	August	8/31/2021	Professional Geologist	Initial License Application	60	1	93	0	0	0	0	0	Note 1
6/30/2022	September	9/30/2021	Professional Geologist	Initial License Application	60	1	98	0	0	0	0	0	Note 1
6/30/2022	October	10/31/2021	Professional Geologist	Initial License Application	60	3	130	0	0	0	0	0	Note 1
6/30/2022	November	11/30/2021	Professional Geologist	Initial License Application	60	28	16	0	0	0	0	0	Note 1
6/30/2022	December	12/31/2021	Professional Geologist	Initial License Application	60	45	57	0	0	0	0	0	Note 1
6/30/2022	July	7/31/2021	Professional Geologist	Renewal Application	0	0	0	0	0	0	254	3	
6/30/2022	August	8/31/2021	Professional Geologist	Renewal Application	0	0	0	0	0	0	194	3	
6/30/2022	September	9/30/2021	Professional Geologist	Renewal Application	0	0	0	0	0	0	216	3	
6/30/2022	October	10/31/2021	Professional Geologist	Renewal Application	0	0	0	0	0	0	204	3	
6/30/2022	November	11/30/2021	Professional Geologist	Renewal Application	0	0	0	0	0	0	183	3	
6/30/2022	December	12/31/2021	Professional Geologist	Renewal Application	0	0	0	0	0	0	223	3	
6/30/2022	July	7/31/2021	Professional Geophysicist	Initial License Application	60	6	57	0	0	0	0	0	Note 1
6/30/2022	August	8/31/2021	Professional Geophysicist	Initial License Application	60	0	0	0	0	0	0	0	Note 1
6/30/2022	September	9/30/2021	Professional Geophysicist	Initial License Application	60	0	0	0	0	0	0	0	Note 1
6/30/2022	October	10/31/2021	Professional Geophysicist	Initial License Application	60	0	0	0	0	0	0	0	Note 1
6/30/2022	November	11/30/2021	Professional Geophysicist	Initial License Application	60	0	0	0	0	0	0	0	Note 1
6/30/2022	December	12/31/2021	Professional Geophysicist	Initial License Application	60	0	0	0	0	0	0	0	Note 1
6/30/2022	July	7/31/2021	Professional Geophysicist	Renewal Application	0	0	0	0	0	0	2	1	
6/30/2022	August	8/31/2021	Professional Geophysicist	Renewal Application	0	0	0	0	0	0	6	3	
6/30/2022	September	9/30/2021	Professional Geophysicist	Renewal Application	0	0	0	0	0	0	8	3	
6/30/2022	October	10/31/2021	Professional Geophysicist	Renewal Application	0	0	0	0	0	0	4	2	
6/30/2022	November	11/30/2021	Professional Geophysicist	Renewal Application	0	0	0	0	0	0	10	3	
6/30/2022	December	12/31/2021	Professional Geophysicist	Renewal Application	0	0	0	0	0	0	8	3	
6/30/2022	July	7/31/2021	Professional Land Surveyor	Initial License Application	60	16	86	0	0	0	0	0	
6/30/2022	August	8/31/2021	Professional Land Surveyor	Initial License Application	60	15	78	0	0	0	0	0	
6/30/2022	September	9/30/2021	Professional Land Surveyor	Initial License Application	60	1	116	0	0	0	0	0	
6/30/2022	October	10/31/2021	Professional Land Surveyor	Initial License Application	60	7	60	0	0	0	0	0	
6/30/2022	November	11/30/2021	Professional Land Surveyor	Initial License Application	60	33	72	0	0	0	0	0	
6/30/2022	December	12/31/2021	Professional Land Surveyor	Initial License Application	60	1	340	0	0	0	0	0	
6/30/2022	July	7/31/2021	Professional Land Surveyor	Renewal Application	0	0	0	0	0	0	18	3	
6/30/2022	August	8/31/2021	Professional Land Surveyor	Renewal Application	0	0	0	0	0	0	278	3	

Note 1: The Board’s tracking system does not allow separation of “complete” vs. “incomplete” approved applications. All approved applications are included in the “complete” category



Board for Professional Engineers, Land Surveyors, and Geologists  
Quarterly Licensing Performance Measures

FY 2021/22 Q1 - Q2

Fiscal Year	Month	Date	License Type	Application Type	Target Cycle				Volume Incomplete Applications	Cycle Time Incomplete Applications	Volume Renewal Applications	Cycle Time Renewal Applications	Comment
					Time Complete Applications	Volume Complete Applications	Cycle Time Complete Applications						
6/30/2022	September	9/30/2021	Professional Land Surveyor	Renewal Application	0	0	0	0	0	0	121	3	
6/30/2022	October	10/31/2021	Professional Land Surveyor	Renewal Application	0	0	0	0	0	0	38	2	
6/30/2022	November	11/30/2021	Professional Land Surveyor	Renewal Application	0	0	0	0	0	0	459	2	
6/30/2022	December	12/31/2021	Professional Land Surveyor	Renewal Application	0	0	0	0	0	0	398	3	
6/30/2022	July	7/31/2021	Quality Engineer	Renewal Application	0	0	0	0	0	0	4	5	
6/30/2022	August	8/31/2021	Quality Engineer	Renewal Application	0	0	0	0	0	0	9	2	
6/30/2022	September	9/30/2021	Quality Engineer	Renewal Application	0	0	0	0	0	0	5	3	
6/30/2022	October	10/31/2021	Quality Engineer	Renewal Application	0	0	0	0	0	0	1	4	
6/30/2022	November	11/30/2021	Quality Engineer	Renewal Application	0	0	0	0	0	0	4	3	
6/30/2022	December	12/31/2021	Quality Engineer	Renewal Application	0	0	0	0	0	0	3	4	
6/30/2022	July	7/31/2021	Safety Engineer	Renewal Application	0	0	0	0	0	0	5	2	
6/30/2022	August	8/31/2021	Safety Engineer	Renewal Application	0	0	0	0	0	0	5	2	
6/30/2022	September	9/30/2021	Safety Engineer	Renewal Application	0	0	0	0	0	0	1	2	
6/30/2022	October	10/31/2021	Safety Engineer	Renewal Application	0	0	0	0	0	0	0	0	
6/30/2022	November	11/30/2021	Safety Engineers	Renewal Application	0	0	0	0	0	0	10	2	
6/30/2022	December	12/31/2021	Safety Engineers	Renewal Application	0	0	0	0	0	0	4	2	
6/30/2022	July	7/31/2021	Structural Engineer	Initial License Application	60	6	91	0	0	0	0	0	Note 1
6/30/2022	August	8/31/2021	Structural Engineer	Initial License Application	60	43	112	0	0	0	0	0	Note 1
6/30/2022	September	9/30/2021	Structural Engineer	Initial License Application	60	11	121	0	0	0	0	0	Note 1
6/30/2022	October	10/31/2021	Structural Engineer	Initial License Application	60	13	132	0	0	0	0	0	Note 1
6/30/2022	November	11/30/2021	Structural Engineer	Initial License Application	60	1	114	0	0	0	0	0	Note 1
6/30/2022	December	12/31/2021	Structural Engineer	Initial License Application	60	34	138	0	0	0	0	0	Note 1
6/30/2022	July	7/31/2021	Structural Engineer	Renewal Application	0	0	0	0	0	0	49	10	
6/30/2022	August	8/31/2021	Structural Engineer	Renewal Application	0	0	0	0	0	0	351	3	
6/30/2022	September	9/30/2021	Structural Engineer	Renewal Application	0	0	0	0	0	0	215	3	
6/30/2022	October	10/31/2021	Structural Engineer	Renewal Application	0	0	0	0	0	0	54	6	
6/30/2022	November	11/30/2021	Structural Engineer	Renewal Application	0	0	0	0	0	0	253	2	
6/30/2022	December	12/31/2021	Structural Engineer	Renewal Application	0	0	0	0	0	0	234	3	
6/30/2022	July	7/31/2021	Traffic Engineer	Initial License Application	60	11	75	0	0	0	0	0	Note 1
6/30/2022	August	8/31/2021	Traffic Engineer	Initial License Application	60	16	54	0	0	0	0	0	Note 1
6/30/2022	September	9/30/2021	Traffic Engineer	Initial License Application	60	8	25	0	0	0	0	0	Note 1
6/30/2022	October	10/31/2021	Traffic Engineer	Initial License Application	60	0	0	0	0	0	0	0	Note 1
6/30/2022	November	11/30/2021	Traffic Engineer	Initial License Application	60	0	0	0	0	0	0	0	Note 1
6/30/2022	December	12/31/2021	Traffic Engineer	Initial License Application	60	0	0	0	0	0	0	0	Note 1
6/30/2022	July	7/31/2021	Traffic Engineer	Renewal Application	0	0	0	0	0	0	48	4	
6/30/2022	August	8/31/2021	Traffic Engineer	Renewal Application	0	0	0	0	0	0	44	3	
6/30/2022	September	9/30/2021	Traffic Engineer	Renewal Application	0	0	0	0	0	0	8	3	
6/30/2022	October	10/31/2021	Traffic Engineers	Renewal Application	0	0	0	0	0	0	10	3	
6/30/2022	November	11/30/2021	Traffic Engineers	Renewal Application	0	0	0	0	0	0	30	2	
6/30/2022	December	12/31/2021	Traffic Engineers	Renewal Application	0	0	0	0	0	0	26	4	



# ATTACHMENT F



**Attachment F – Provide results for each question in the board’s customer satisfaction survey broken down by fiscal year. Discuss the results of the customer satisfaction surveys.**

**CUSTOMER SATISFACTION SURVEYS**

The Board has two customer satisfaction surveys; one relates to the complainants who submit complaints to the Board, and the other relates to usage of BPELSG Connect.

**Complainant Satisfaction Survey**

Since 1993, the Board has sent a Complainant Satisfaction Survey to the complainant whenever a complaint investigation case is closed, along with a self-addressed, prepaid postage envelope. The survey is sent with the letter notifying the complainant of the results of the investigation and that the case has been closed. A survey is not sent if there is no named complainant (such as anonymous complaints).

If the survey response includes questions or negative comments, the complainant is contacted to clarify concerns and/or answer any questions. However, there will always be some consumers who do not understand the limits of the Board’s jurisdiction and authority and are not satisfied with the responses they receive from the Board when the outcome of the investigation is not what they wanted. For FY 2018/19 through FY 2022/23, the Board mailed approximately 1,200 surveys but received only 35 responses, a 3% response rate. As has been noted by the Committees and the Board during prior Sunset Reviews, the Board receives very few completed surveys in comparison to the number mailed.

A number of the responses received are typically from people who are dissatisfied with the outcome of the investigation of their complaints. That dissatisfaction usually arises from a lack of understanding of the Board’s jurisdictional authority and legislative mandate to protect all of the public of California, rather than to provide satisfaction to one individual consumer. This is illustrated by the lower percentages of positive responses for Questions 6 and 7 in the table that follows. In addition, the responses from those not satisfied with the outcome may not be providing a thoughtful and helpful response. For instance, there were a number of responses indicating they were not notified of the outcome of the complaint, even though the survey form is sent out with the letter notifying them of the outcome of the complaint. Other responses included derogatory language.

However, despite the various dissatisfied responses to various questions, it is noted that the majority of those who responded found the representative understood the problem, found the process to be fair, would contact the Board again, or refer the Board to others. This is an indication of outside acknowledgment that the Board is succeeding in continuing to process complaints with fairness to the parties involved.

### FY 2018/19– FY 2022/23 COMPLAINANT SATISFACTION SURVEY RESULTS

QUESTIONS	Percentage of Positive Responses				
	2018/19	2019/20	2020/21	2021/22	2022/23
1 Was our representative courteous?	85%	85%	100%	100%	80%
2 Did you feel that the representative who handled your complaint understood your problem?	43%	78%	89%	100%	80%
3 Were you made aware that your complaint was closed?	71%	85%	89%	100%	80%
4 Did our representative deal with your problem in a fair and reasonable manner?	43%	56%	89%	100%	80%
5 How satisfied were you with the time it took for us to resolve your complaint?	57%	45%	78%	100%	67%
6 How satisfied were you with the explanation you were provided regarding the outcome of your complaint?	43%	67%	89%	100%	33%
7 Overall, how satisfied were you with the way in which we handled your complaint?	57%	56%	89%	100%	33%
8 Would you contact us again in a similar situation?	57%	67%	89%	100%	67%
9 Would you recommend us to a friend or family member experiencing a similar situation?	57%	67%	89%	100%	67%
<b>TOTAL NUMBER OF RESPONSES RECEIVED</b>	7	9	9	5	5

The following is a sampling of the comments, both negative and positive, received on the Complainant Satisfaction Surveys:

*“Thank you for your time and effort in resolving this complaint...My only suggestion is to speed up the process if possible.”*

*“[The Board’s Enforcement Analyst] was extremely competent and thorough in handling this matter in a timely and professional manner.”*

*“Problem was solved better than expected, but it took quite some time.”*

*“I am heartened that you take these things so seriously.”*

*"I have almost no idea how the complaint was investigated or handled. So I do not know if you understood the point I was trying to address or not. Still think [Subject of Investigation] is a crook trying to defraud the government."*

*"Although we were mostly reimbursed for our advance, there was no requirement in your enforcement action for us to be repaid, just you for your admin fee."*

*"If a 5<sup>th</sup> grader can instantly understand which direction water flows, why does it take almost 7 months for the State of California to ignore the data?"*

*"You people are a joke."*

*"In our complaint, we feel misrepresentation, negligence and incompetence was not dealt with properly to the point we strongly feel this engineer should not be able to continue his practice. We were appalled at your conclusion."*

*"Big THANK YOU to [The Board's Enforcement Analyst]. She is a great asset to the Board. Very professional and excellent customer skills."*

### **BPELSG Connect Customer Satisfaction Survey**

In September 2021, the Board began providing a link to a customer satisfaction survey as part of the online license renewal process and the initial application process in BPELSG Connect.

#### **BPELSG Connect - License Renewals**

<b>Question</b>	<b>Options</b>	<b>2021-22 Summary</b>	<b>2022-23 Summary</b>	<b>2023-24 Summary</b>
How would you rate your overall experience submitting your application using BPELSG Connect online platform?	Very Poor Poor Neutral <b>Good</b> <b>Excellent</b>	92%	89%	87%
Compared to your initial expectations, was BPELSG Connect easier or more difficult to use in submitting your application online?	Much More Difficult More Difficult Neutral <b>Easier</b> <b>Much Easier</b>	75%	73%	75%
Did you require assistance from Board staff in completing your application?	More Assistance was needed than expected  <b>Some assistance was needed</b>  <b>No assistance was needed</b>	98%	97%	96%
Did you contact the Board for a status update on your application?	<b>Yes</b> No	3%	5%	4%
* - 2023-24 responses through October 31, 2023		632 responses	798 responses	264 responses *

Percentage represents responses to questions shown in **bold**.

Responses received during 2021-22 indicates that the license renewal process generally received positive reaction from the Board's licensees. Note: License renewals in BPELSG Connect began in January 2021.

As can be seen in the above chart, over the almost three-year period during which renewal of a license in BPELSG Connect has been active, an average of 89% of the respondents believed the process was good to excellent while an average of 74% felt the process was easier to much easier than initially expected. Additionally, an average of 97% of the respondents required some to no assistance from Board staff, while only 4% still contacted the Board by traditional means (phone, email, etc.) to check on the status of the renewal application.



Overall, the responses during the stated period for the Board's license renewal process in BPELSG Connect has remained relatively consistent with above average ratings.

#### BPELSG Connect – Initial Applications

Question	Options	2021-22 Summary	2022-23 Summary	2023-24 Summary
How would you rate your overall experience submitting your application using BPELSG Connect online platform?	Very Poor Poor Neutral <b>Good</b> <b>Excellent</b>	87%	89%	78%
Compared to your initial expectations, was BPELSG Connect easier or more difficult to use in submitting your application online?	Much More Difficult More Difficult Neutral <b>Easier</b> <b>Much Easier</b>	68%	73%	59%
Did you require assistance from Board staff in completing your application?	More Assistance was needed than expected  <b>Some assistance was needed</b>  <b>No assistance was needed</b>	95%	93%	90%
Did you contact the Board for a status update on your application?	<b>Yes</b> No	35%	34%	40%

* - 2023-24 responses through October 31, 2023	118 responses	169 responses	52 responses *
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Percentage represents responses to questions shown in **bold**.

Responses received during 2021-22 indicates that the license application process has generally received positive reaction from applicants. Note: Initial applications for professional engineer (PE) licenses (which do not require a state exam) launched in mid-June 2022. Initial applications for civil engineer licenses and professional land surveyor licenses (both of which require state exams) launched in January 2022. Initial applications for the professional geologist license was added in March 2023.

As can be seen in the above chart, over the almost three-year period during which renewal of a license in BPELSG Connect has been active, an average of 84% of the respondents believed the process in BPELSG Connect was good to excellent while an average of 67% felt the process was easier to much easier than initially expected. Additionally, an average of 93% of the respondents required some to no assistance from Board staff, while an average of only 36% still contacted the Board by traditional means (phone, email, etc.) to check on the status of the renewal application.

Overall, the responses for the Board's license renewal process in BPELSG Connect are positive but reflect a decreasing level of satisfaction with the initial application process, which the Board mostly attributes to status inquiries and the increased review timeframe due to higher than originally expected volumes of professional engineer applications.

The Board regularly monitors the feedback from this survey for indications where enhancements can be implemented to improve the processes.

# ATTACHMENT G



9/6/2018, Santa Rosa	10/11/2018, Teleconference	11/1/2018, Monterey	12/13/2018, Riverside	2/21/2019, Sacramento	4/11/2019, Calabasas	5/13/2019, Teleconference	6/13/2019, Pomona	8/8/2019, Santa Rosa	9/26/2019, San Diego	11/21/2019, Oakland	1/16/2020, Sacramento	3/12/2020, Monterey	5/7/2020, Teleconference	6/25/2020, Teleconference	8/20/2020, Teleconference	10/15/2020, Teleconference	12/10/2020, Teleconference	2/4/2021, Teleconference	4/1/2021, Teleconference	5/27/2021, Teleconference	7/23/2021, Teleconference	9/16/2021, Teleconference	11/8/2021, Teleconference	1/10/2022, Teleconference	3/7/2022, Sacramento	5/2/2022, Sacramento	6/23/2022, Santa Rosa	8/22/22, San Diego	10/20/22, Riverside	12/8/22, Sacramento	2/2/23, Ventura	4/13/23, Sacramento	6/8/23, Sacramento
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TERMED OUT BOARD MEMBERS

NAME OF BOARD MEMBER	FY 18/19						FY 19/20					FY 20/21					FY 21/22					FY 22/23								
		N		N		N		N		N		N		N		N		N		N		N		N		N		N		N
NATALIE ALAVI Appointed 12/17/13 – 6/30/21																														
DUANE FRIEL Appointed 10/10/18 – 1/17/23			N	N																										
ANDREW HAMILTON Appointed 3/12/18 – 6/30/20				N																										
KATHY JONES IRISH Appointed 7/6/12 - 6/30/23			N			N																								
ERIC JOHNSON Appointed 12/3/13 – 6/30/22																														
ASHA BROOKS LANG Appointed 12/17/13 – 6/30/21	N	N				N																								
PAUL NOVAK Appointed 1/4/21-6/30/23																														
MOHAMMAD QURESHI Appointed 3/6/14 – 6/30/23																														
WILLIAM "JERRY" SILVA Appointed 2/13/08 – 6/30/19	N	N				N																								
ROBERT STOCKTON Appointed 7/6/12 – 5/13/20			N																											
STEVEN WILSON Appointed 6/14/16 – 6/30/20																														

N - REPRESENTS ABSENCE  
 - WAS NOT APPOINTED AT THIS TIME







## MEMBERS OF THE BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS

Michael Hartley, PLS  
Professional Land Surveyor Member  
***President, 2023-2024***

Christina Wong  
Public Member  
***Vice President, 2023-2024***

Felino Amistad, Ph.D.  
Public Member

Alireza Asgari, Ph.D., P.E., S.E.  
Structural Engineer Member

Rossana D'Antonio, P.E., G.E.  
Civil Engineer Member

Cristina Garcia  
Public Member

Coby King  
Public Member

Guillermo Martinez, P.E.  
Electrical Engineer Member

Betsy Mathieson, P.G., CEG  
Geologist Member

Frank Ruffino  
Public Member

Wilfredo Sanchez  
Public Member

Fermin Villegas  
Public Member

Gavin Newsom  
Governor

Kimberly Kirchmeyer  
Director, Department of Consumer Affairs

Richard B. Moore, PLS  
Executive Officer, Board for Professional Engineers, Land Surveyors, and Geologists



### Board for Professional Engineers, Land Surveyors, and Geologists

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